Exhibit 4 to the Complaint.

# U.S. Patent No. 9,300,723 v. Roche Accu-Chek.

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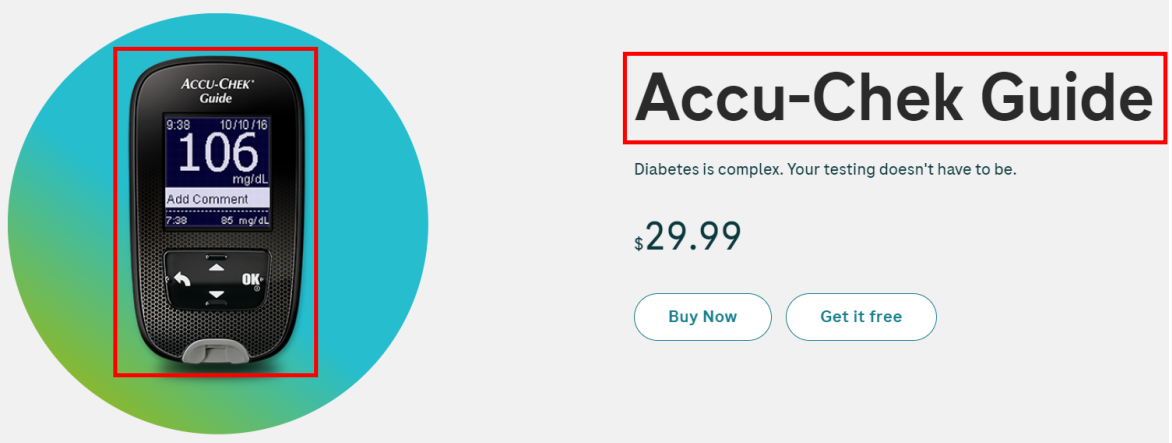
# 1. Claim Chart

| Claim | Analysis |
|---|---|
| [1.P] A media system, comprising: | Roche makes, uses, sells, and/or offers to sell a media system.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, Company provides Accu-Chek Guide Meter, a blood glucose meter designed to measure blood sugar levels. This device transmits the measured blood sugar levels to the mySugr app, installed on the user's smartphone, using a Bluetooth network.<br><br>  <br>Source: https://www.accu-chek.com/products/meters/guide |

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| | **5 mySugr Connectivity**<br>Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More<br>Source: https://www.accu-chek.com/products/meters/guide<br><br>**Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that<br>1. utilizes Bluetooth low energy technology,<br>2. it is paired with, and<br>3. has an application that can accept the meter data.<br>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70 |

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| | **How can I transfer Accu-Chek meter data to mySugr?**<br><br>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.<br><br>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:<br><br>1. If you are using an Apple device, make sure Bluetooth® is turned on.<br><br>a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.<br><br>2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)<br>3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.<br>4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.<br>5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.<br>6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<br><br>Source: https://www.accu-chek.com/support/products/guide |

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| | Easy Connection With Blood Sugar Meters<br><br>Automatically transfer your values to the mySugr app via Bluetooth and analyze them with one click to identify your patterns more quickly.<br>Source: https://www.mysugr.com/en-us/ |

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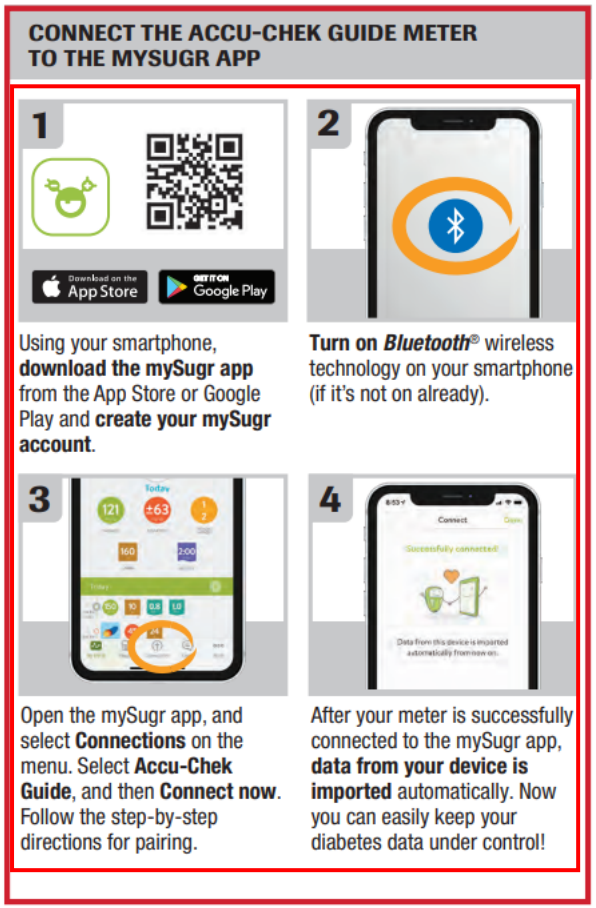


Source: https://www.accu-chek.com/document/accu-chek-guide-quick-start-guide-2/download, Page 1 of 2

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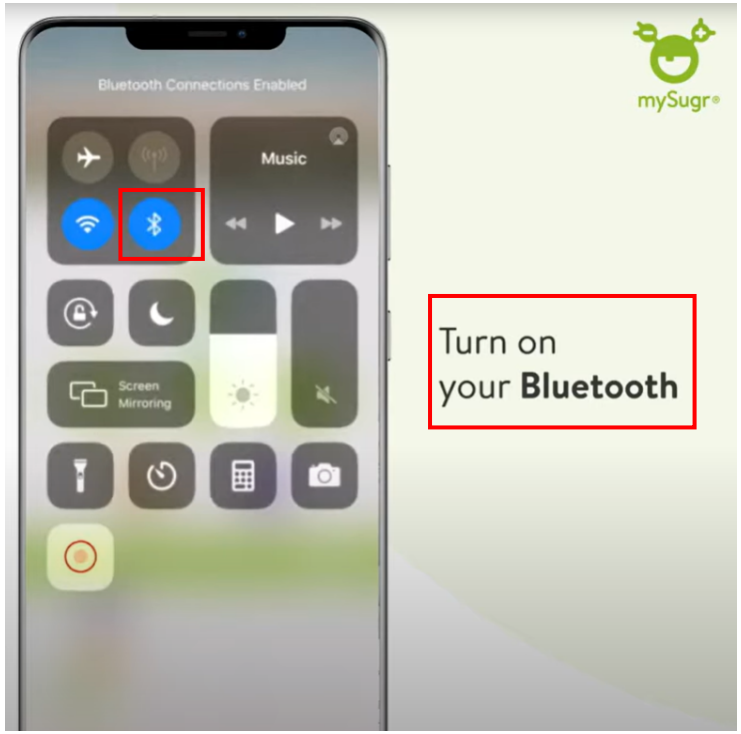


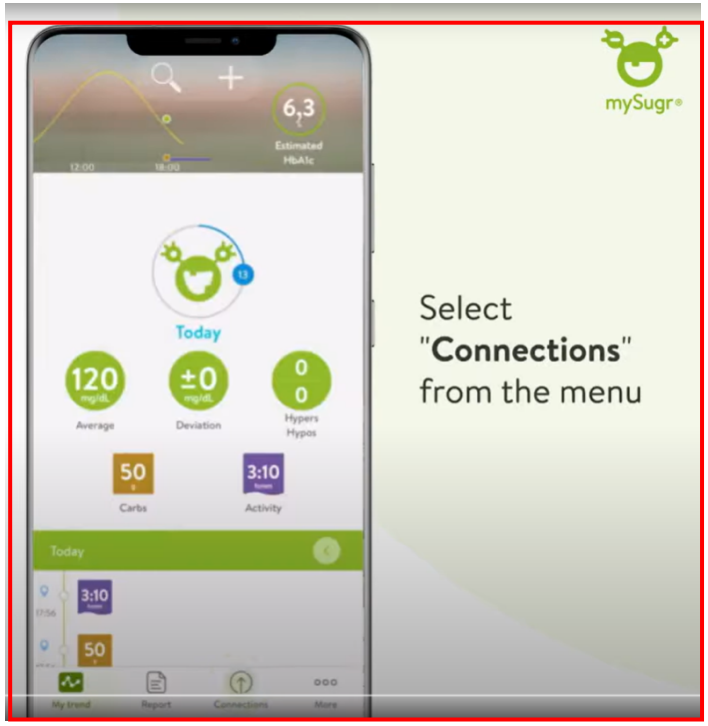


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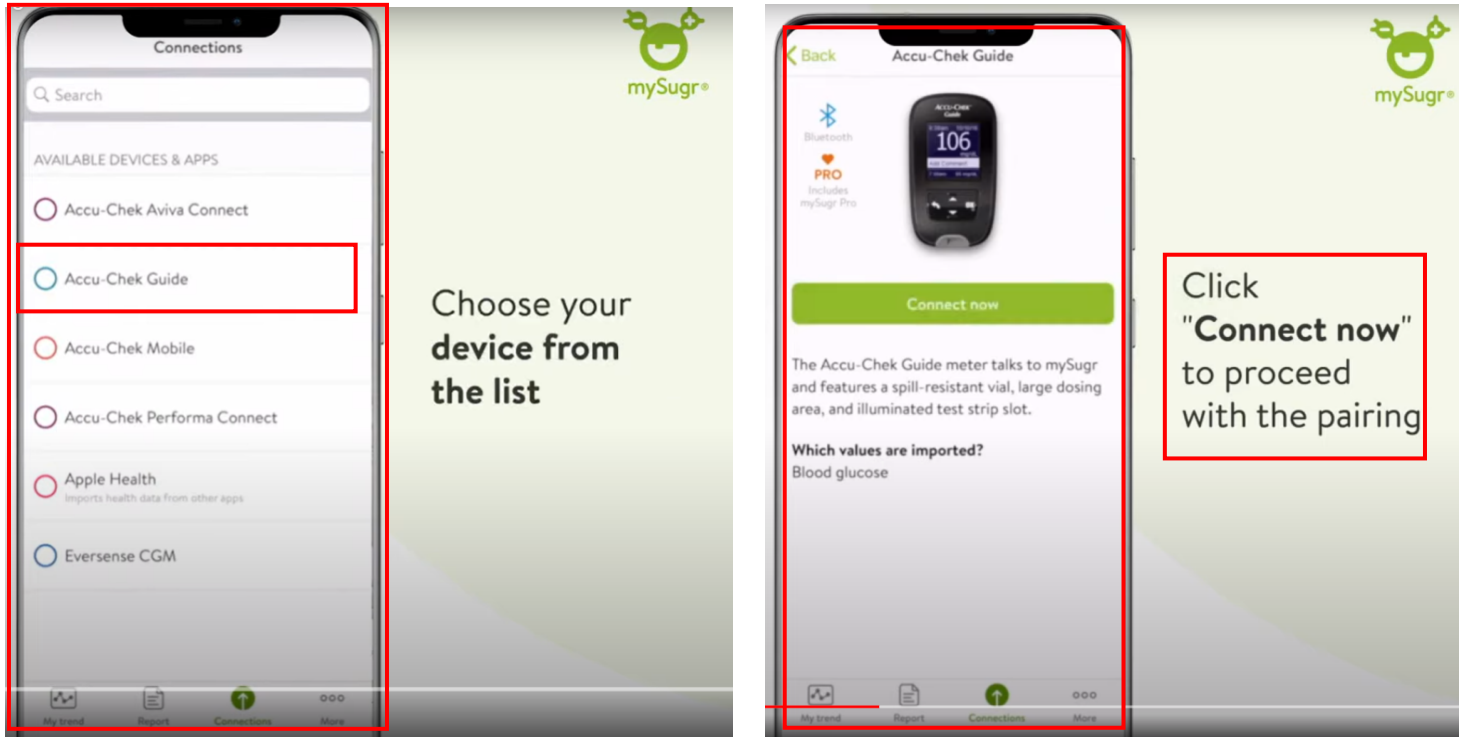


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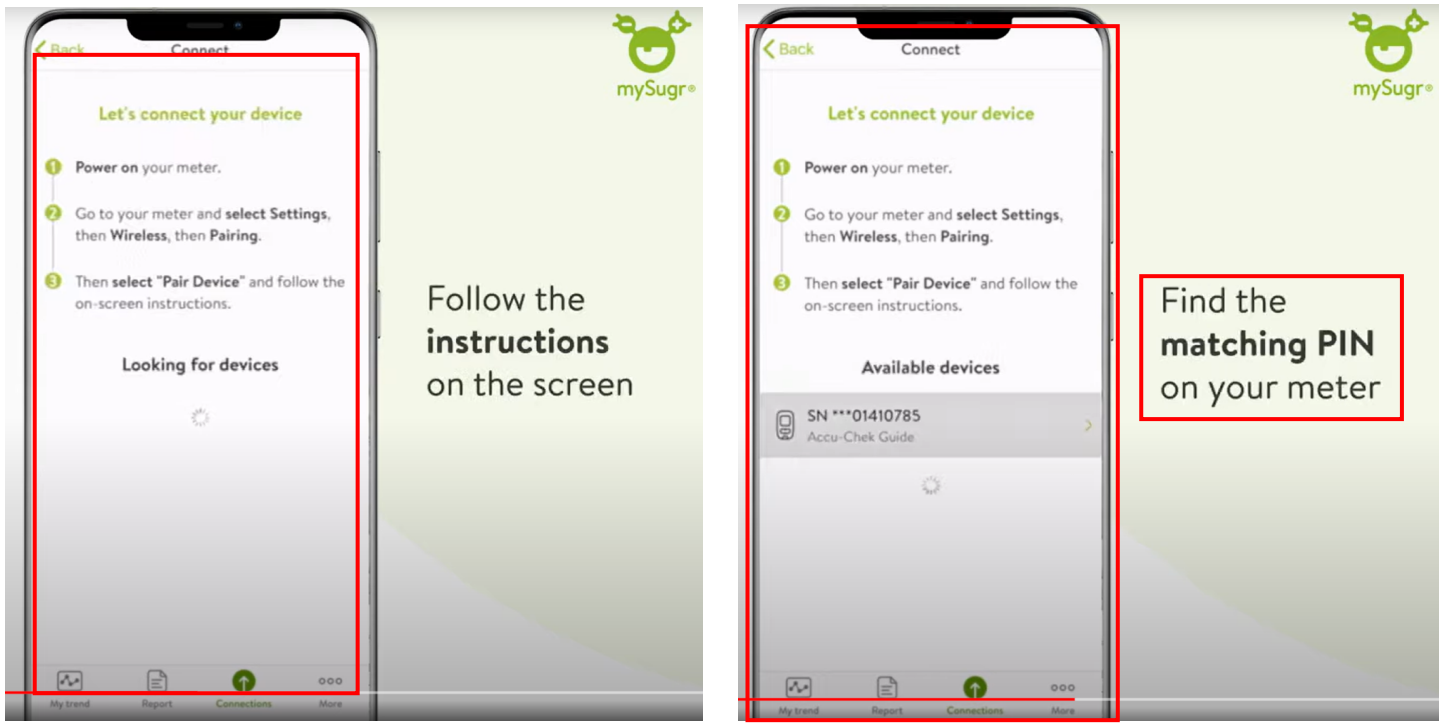


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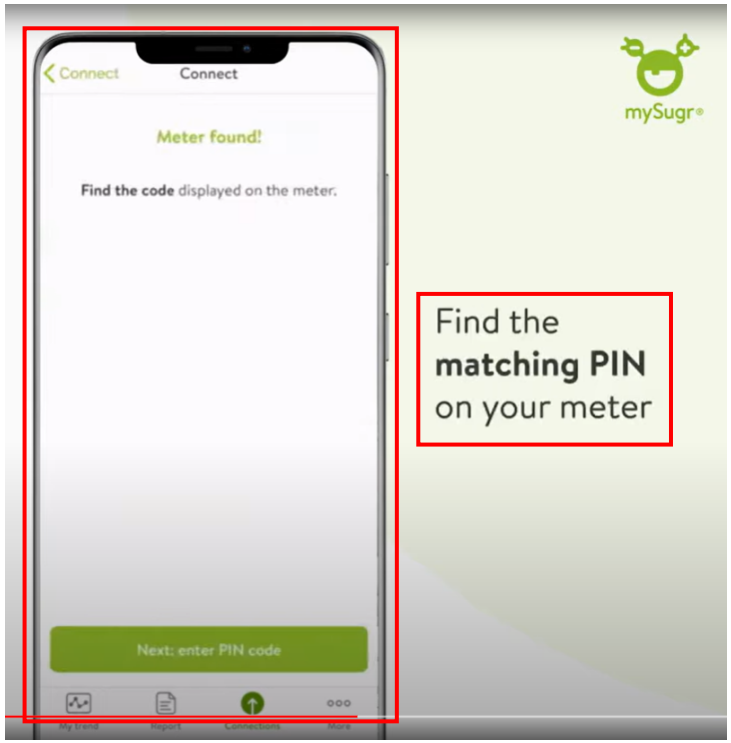


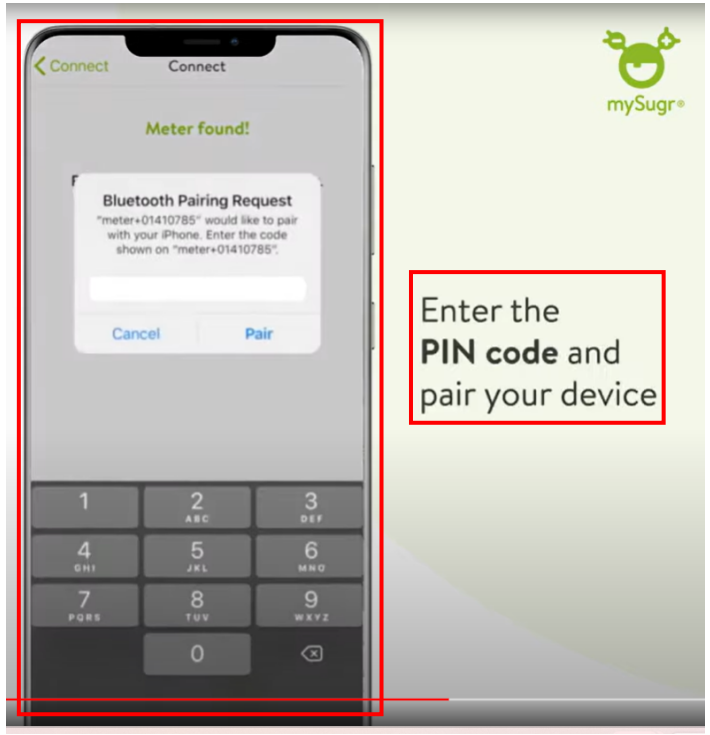


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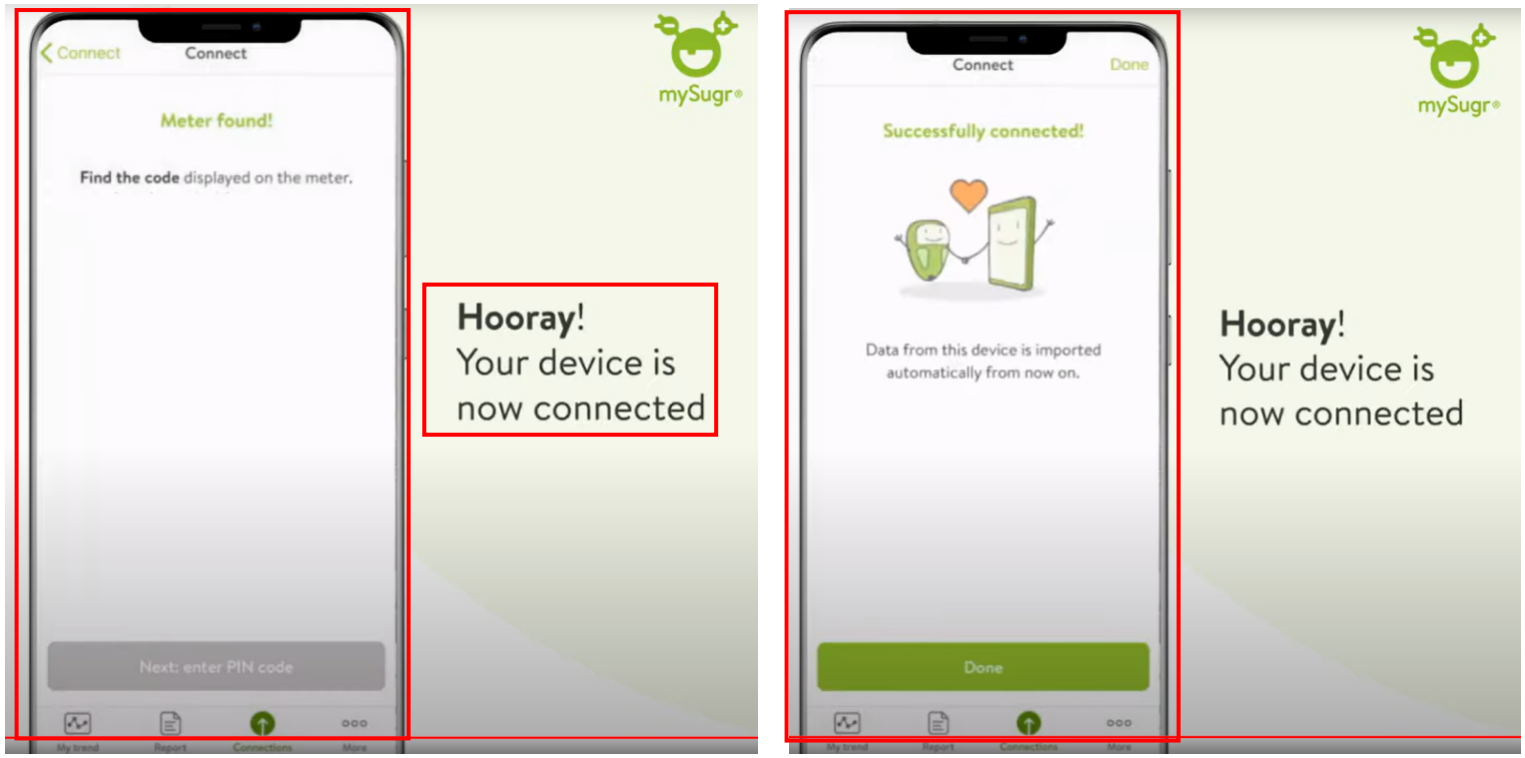


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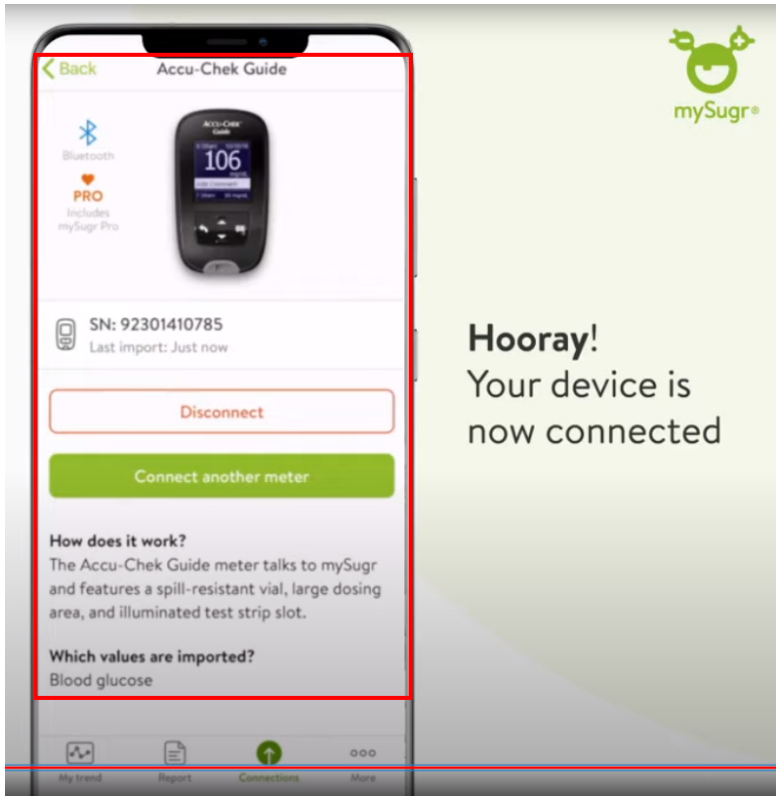
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |

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| [1.1] at least one media terminal disposed in an accessible relation to at least one interactive computer network, | Company makes, uses, sells and/or offers to sell at least one media terminal disposed in an accessible relation to at least one interactive computer network.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the Accu-Chek Guide transmits the blood sugar levels to the mySugr app, installed on the user's smartphone ("media terminal"), using Bluetooth network ("interactive computer network"). Since, the smartphone communicates and sends data to the Accu-Chek Guide using Bluetooth, it is apparent for a person having ordinary skills in the art that, at least one media terminal disposed in an accessible relation to at least one interactive computer network.<br><br> |

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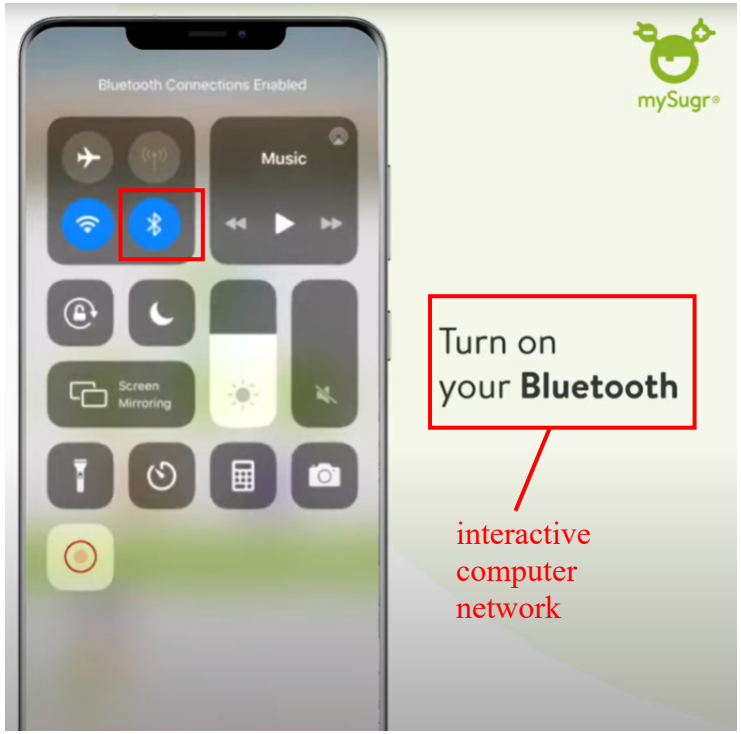
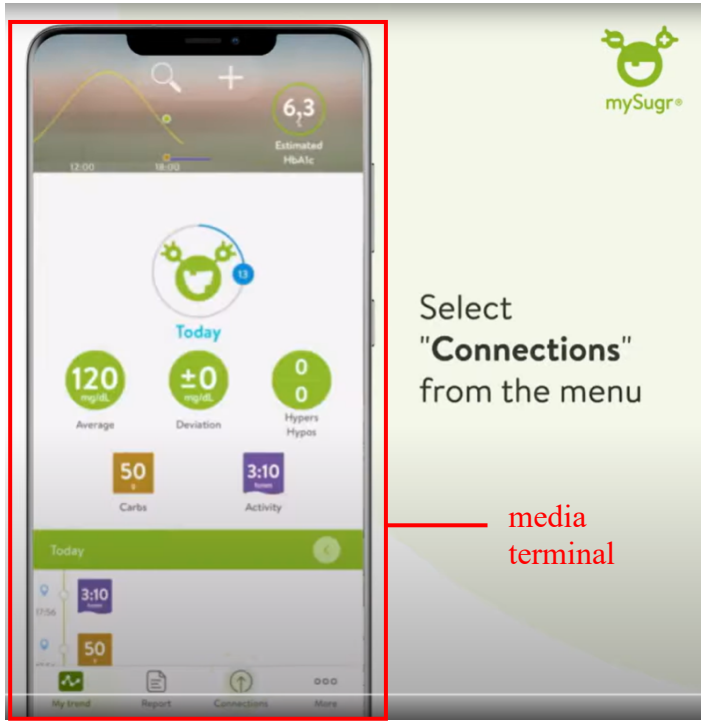
| | Source: https://www.accu-chek.com/document/accu-chek-guide-quick-start-guide-2/download, Page 1 of 2 (annotated)<br>  <br>  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:07, 0:09 (annotated) |

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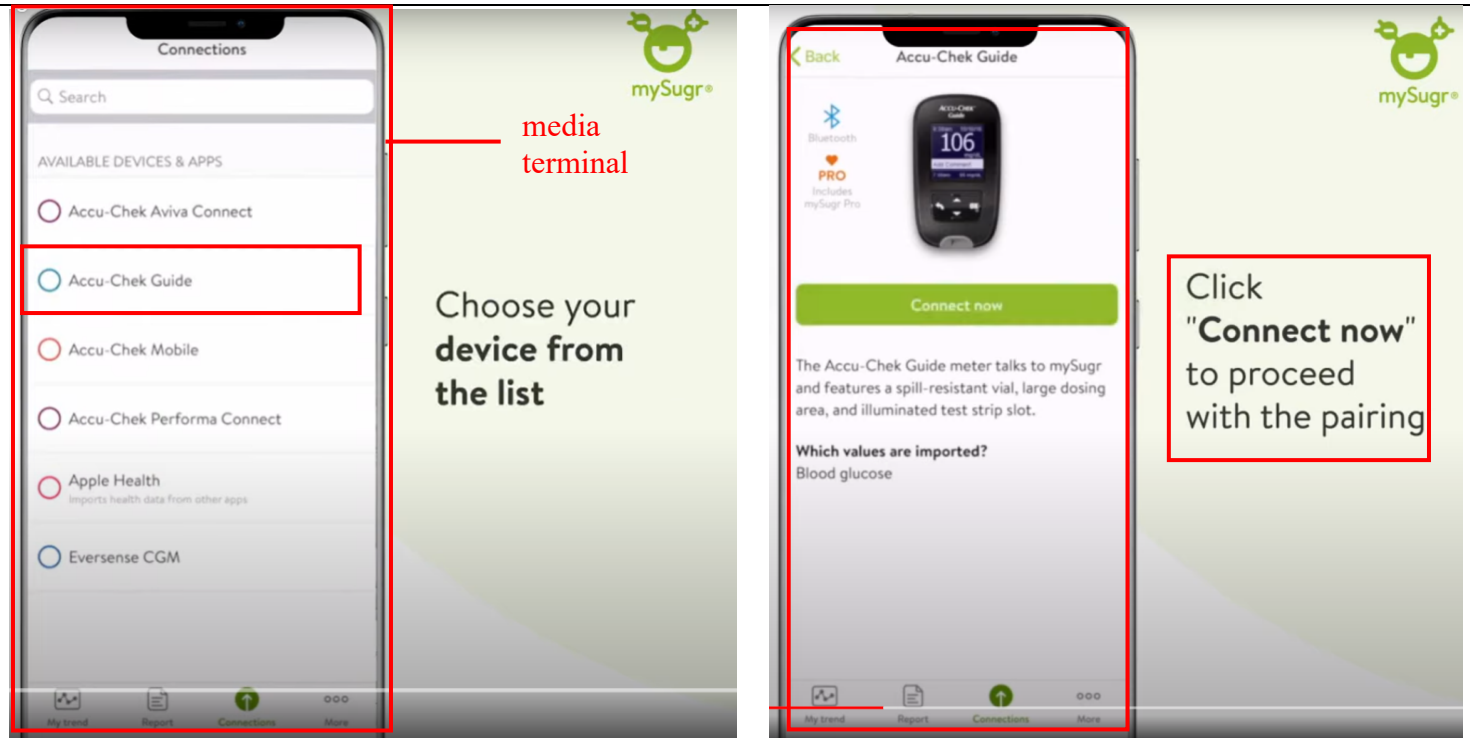


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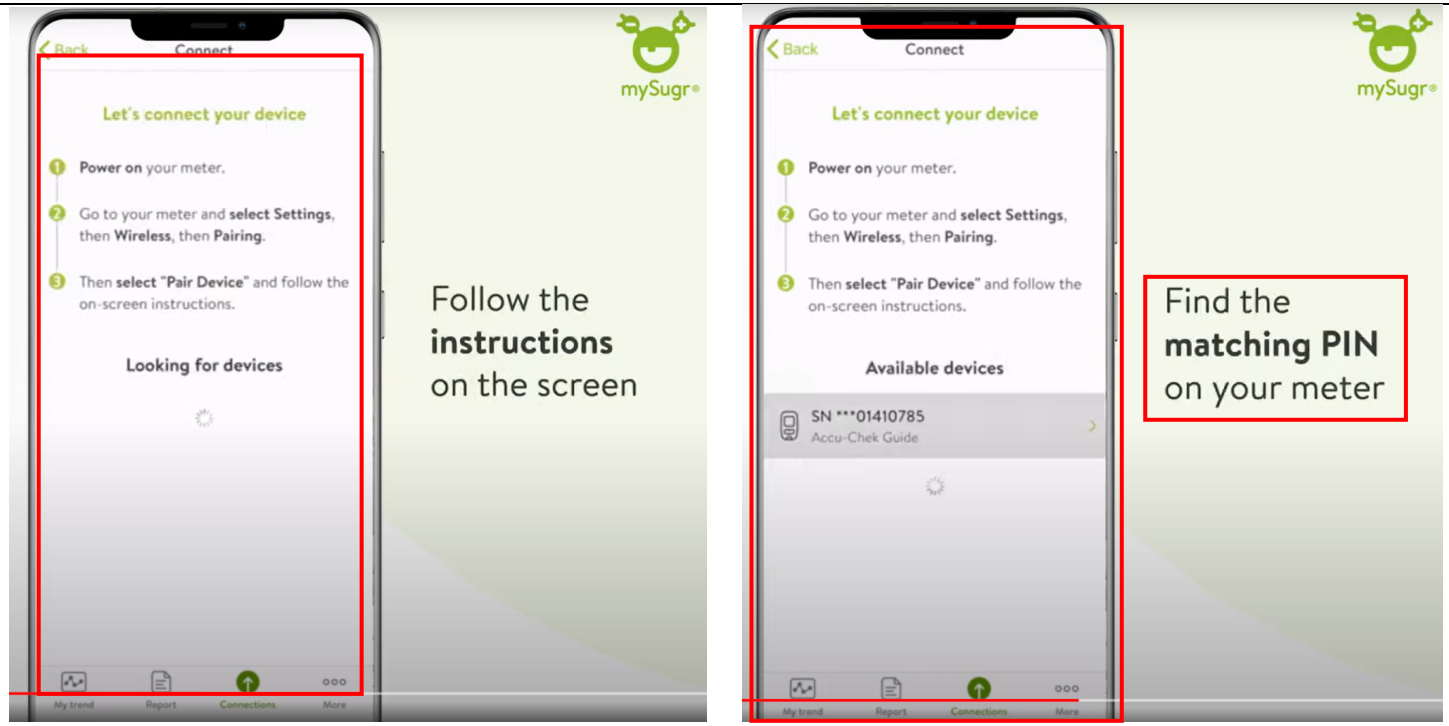


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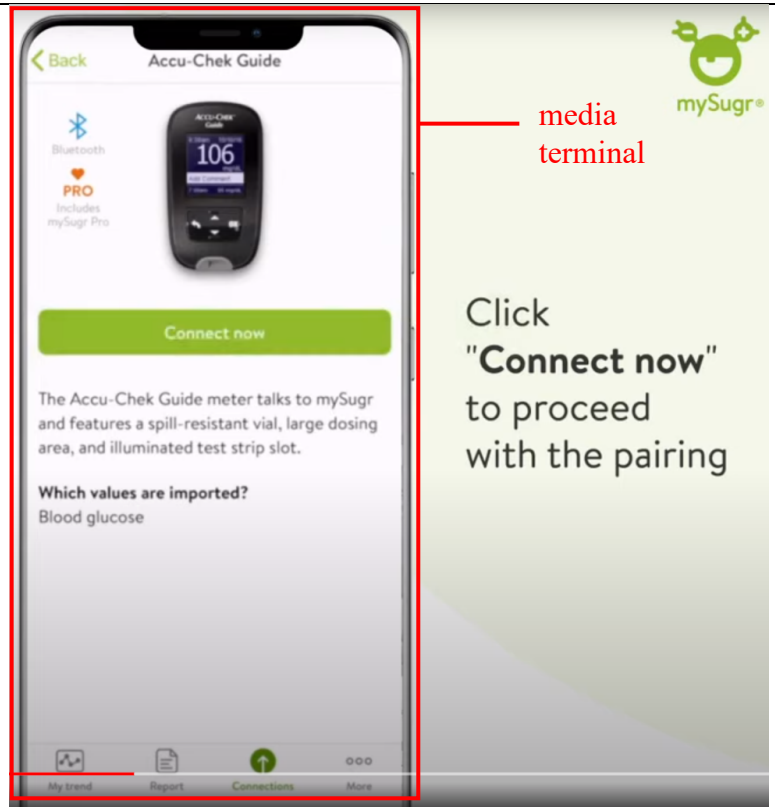


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**How can I transfer Accu-Chek meter data to mySugr?**

Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.

Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:

1. If you are using an Apple device, make sure Bluetooth® is turned on.

a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.

2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)
3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.
4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.
5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.
6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen

Source: https://www.accu-chek.com/support/products/guide

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| | Other<br>• receive data from Internet<br>• view network connections<br>• pair with Bluetooth devices<br>• access Bluetooth settings<br>• full network access<br>• run at startup<br>• control vibration<br>• prevent device from sleeping<br>Source: https://play.google.com/store/apps/details?id=com.mysugr.android.companion<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [1.2] a wireless range structured to permit authorized access to said at least one interactive computer network, | Company makes, uses, sells and/or offers to sell a wireless range structured to permit authorized access to said at least one interactive computer network.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the Accu-Chek Guide and the smartphone, on which the mySugr app is installed, are paired with each other using the Bluetooth network ("interactive computer network"). This network facilitates the pairing of the smartphone and the Accu-Chek Guide when they are within Bluetooth range of each other. To complete the Bluetooth pairing, the user is required to input the PIN ("permit authorized access") of the Accu-Chek Guide into the mySugr app. It would be apparent to a person of ordinary skill in the art that wireless range structured to permit authorized access to at least one interactive computer network. |

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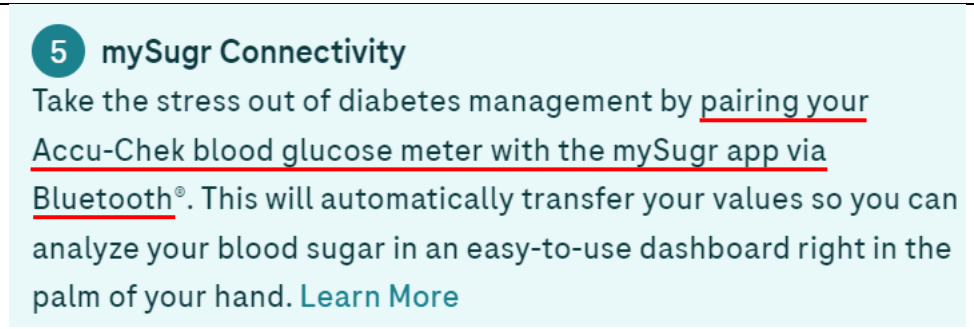


Source: https://www.accu-chek.com/products/meters/guide

**Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that

1. utilizes Bluetooth low energy technology,
2. it is paired with, and
3. has an application that can accept the meter data.

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| | **How can I transfer Accu-Chek meter data to mySugr?** ^<br><br>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.<br><br>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:<br><br>1. If you are using an Apple device, make sure Bluetooth® is turned on.<br><br>a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.<br><br>2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)<br>3. Open the mySugr app and go to the “Connections” tab in the bar menu located at the bottom of the screen.<br>4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.<br>5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.<br>6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<br><br>Source: https://www.accu-chek.com/support/products/guide |

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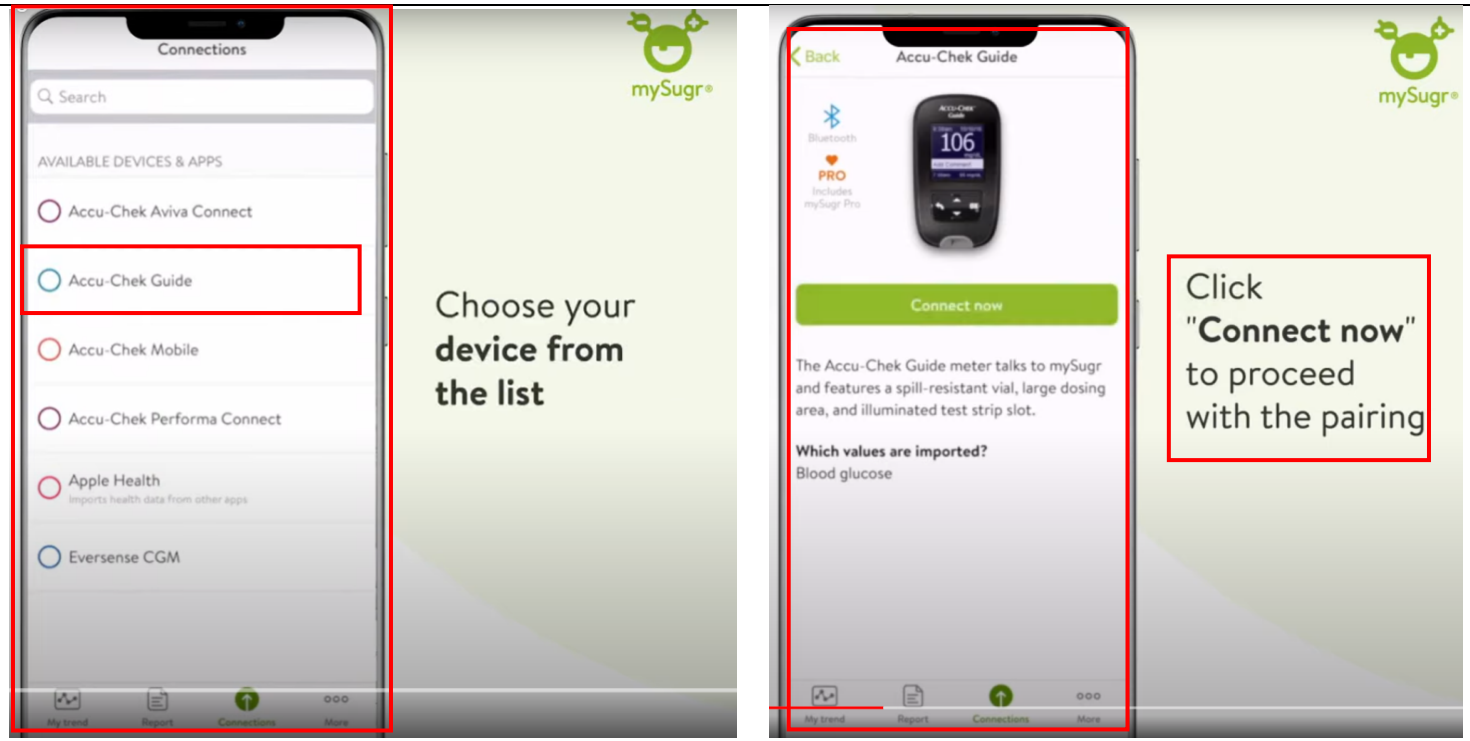


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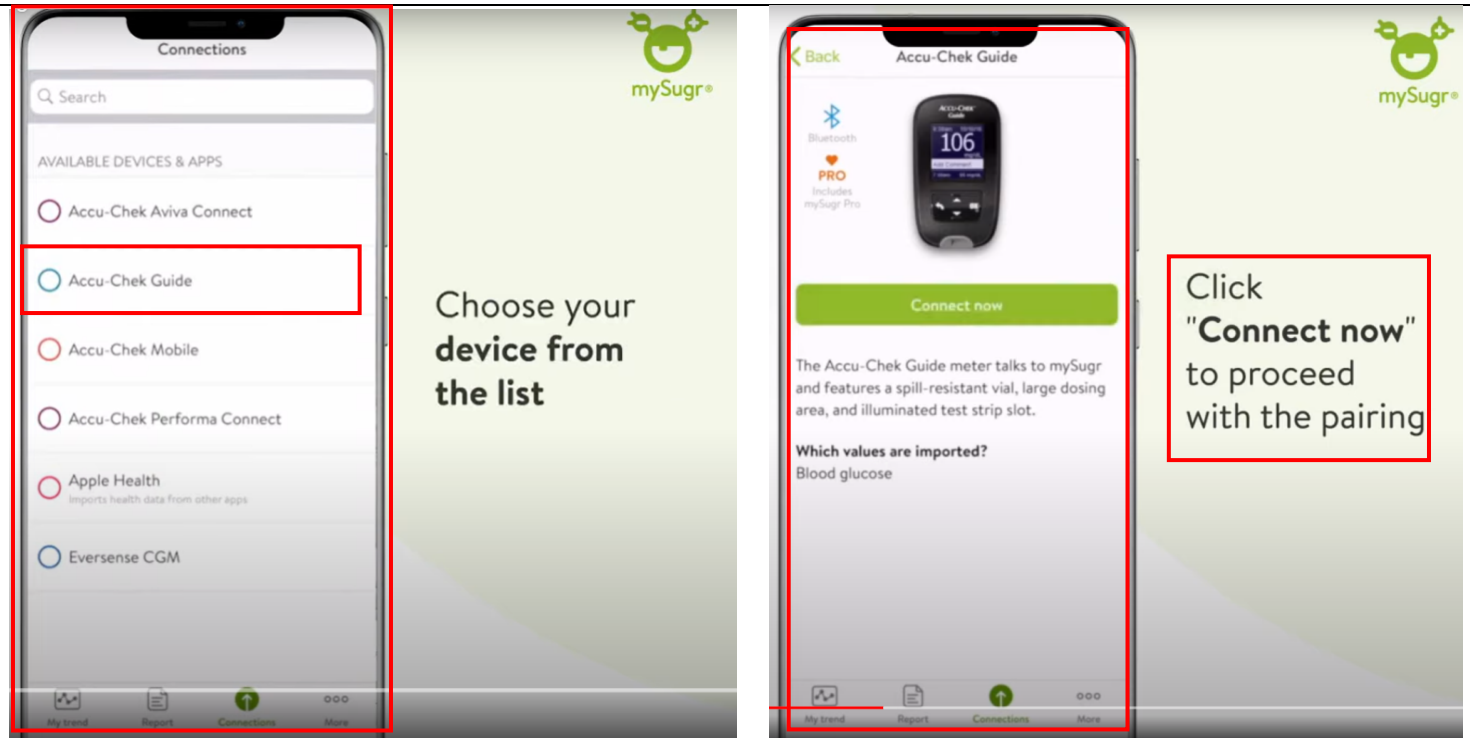


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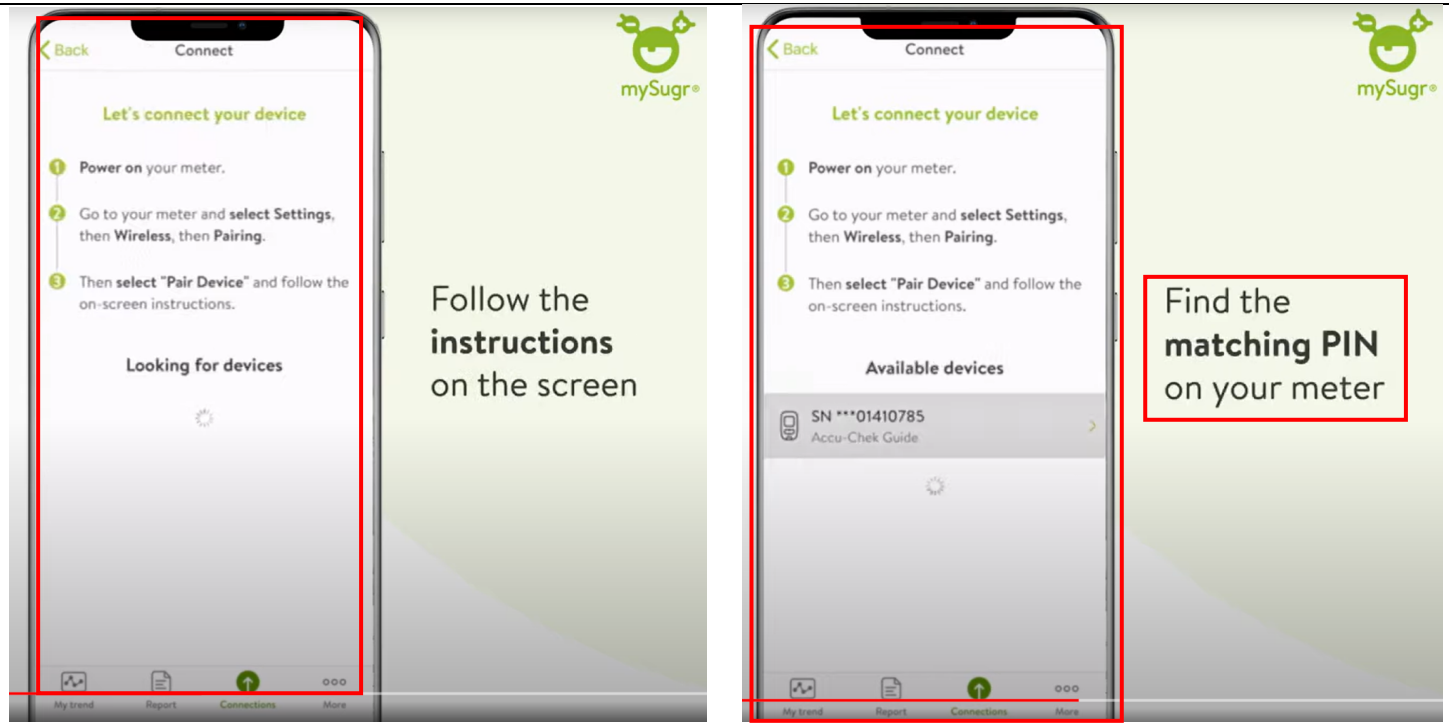


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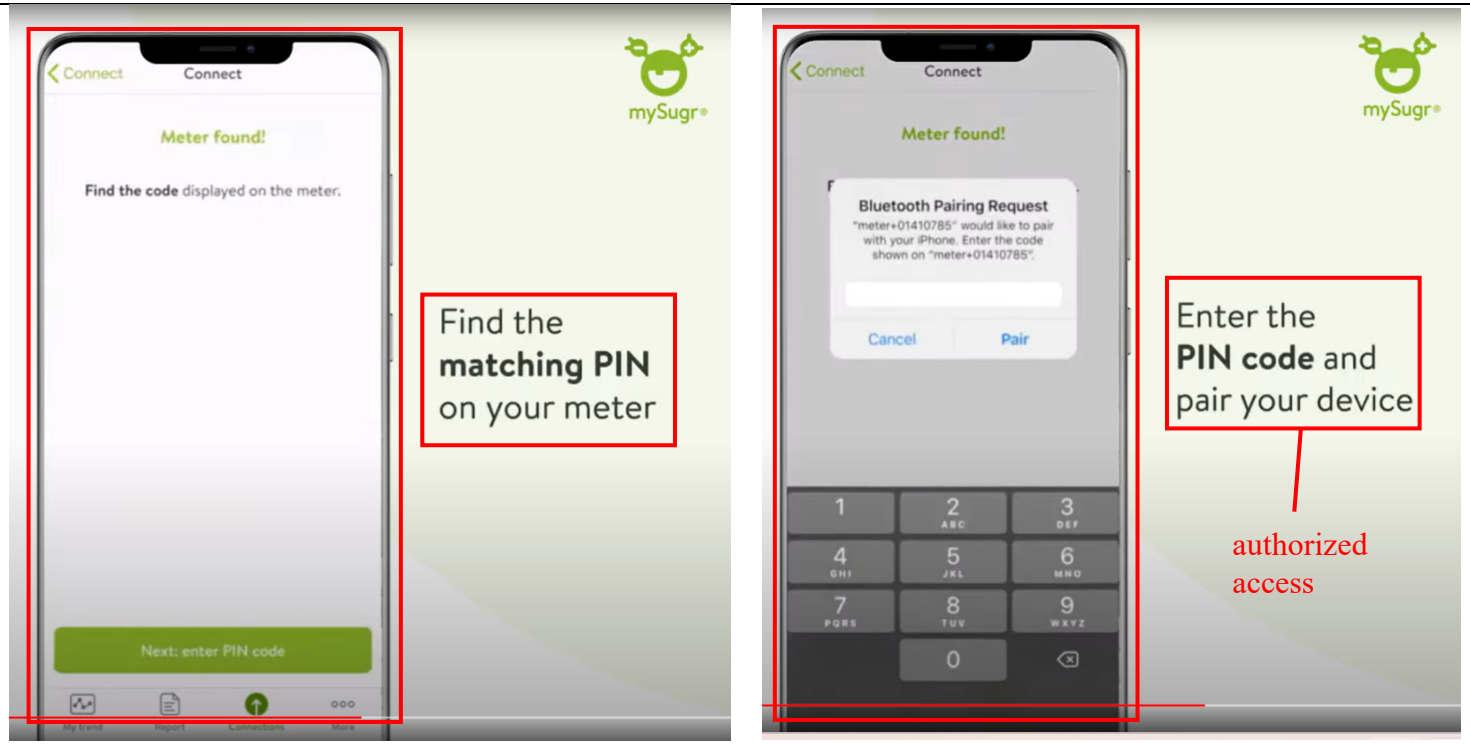


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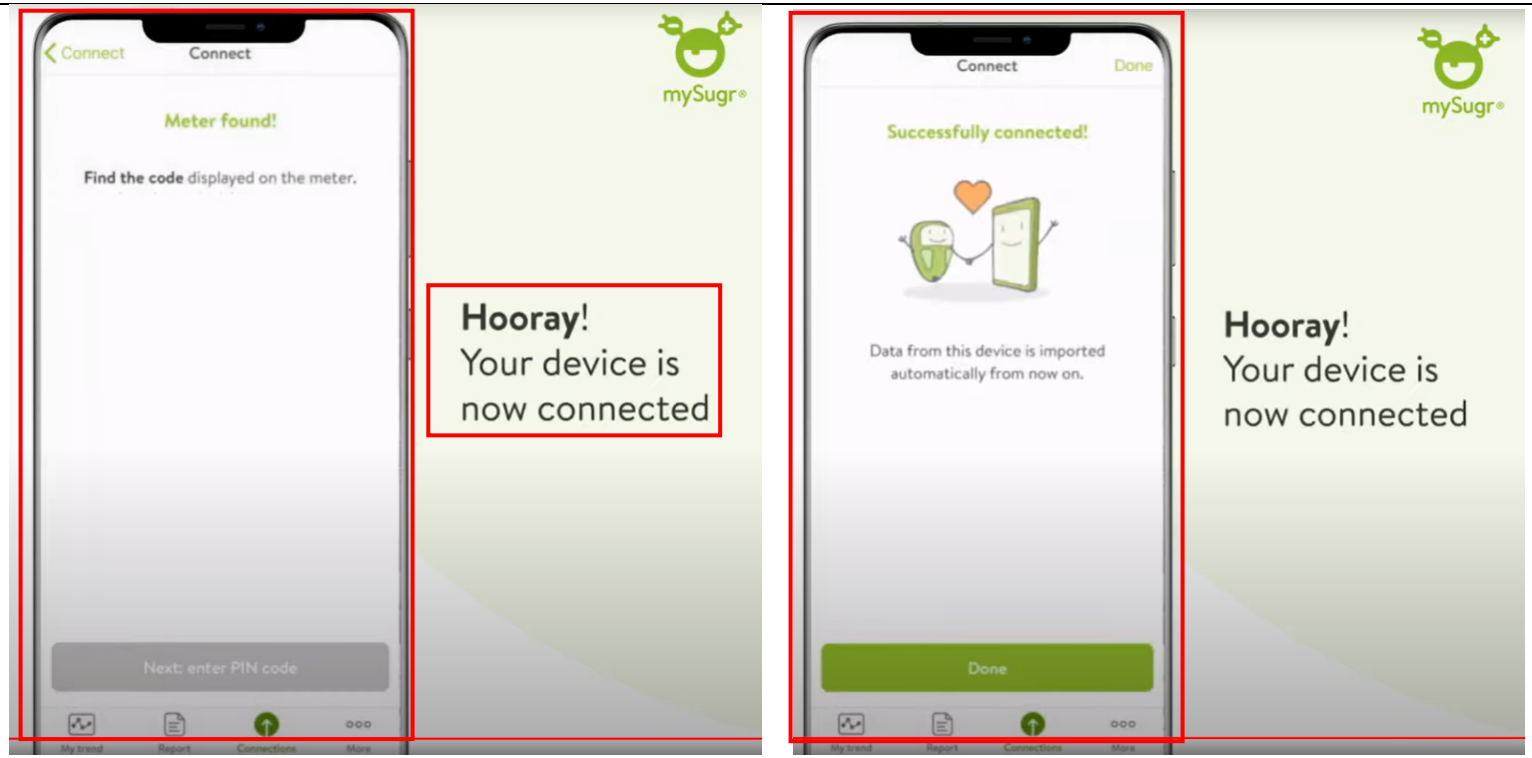


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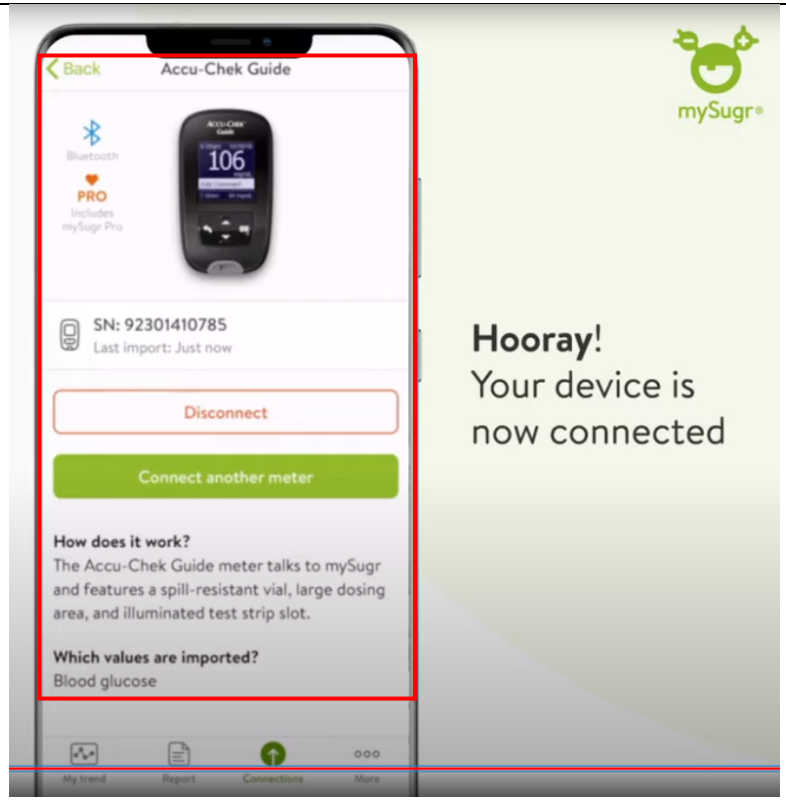


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| [1.3] at least one media node disposable within said wireless range, wherein said at least one media node is detectable by said at least one media terminal, | Company makes, uses, sells and/or offers to sell at least one media node disposable within said wireless range, wherein said at least one media node is detectable by said at least one media terminal.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the Accu-Chek Guide ("media node") employs the Bluetooth network ("interactive computer network") to pair with the mySugr app which is installed on the user's smartphone. The Accu-Chek Guide is within the Bluetooth range of the smartphone where the mySugr app is installed. The mySugr detects the Accu-Chek Guide which is within its Bluetooth range ("disposable within the wireless range").<br><br>**1 Personalized logging screen**<br>Organize the app the way it suits you better. Remove or add fields depending on your therapy needs.<br><br>**2 mySugr Analytics**<br>The analytics dashboard in the mySugr app provides you with an overview of your recorded blood sugars to help you identify patterns, allowing you to identify areas where your management could be optimized.<br><br>**3 Data Reports & Sharing**<br>mySugr Reports compile your data for easy printing or digital sharing. You can access and download your data anytime, anywhere and feel free to share your reports with your family, caregivers, and healthcare team for accountability and support.<br><br> <br><br>Source: https://www.accu-chek.com/products/mysugr (annotated) |

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| | **5 mySugr Connectivity**<br>Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More<br>Source: https://www.accu-chek.com/products/meters/guide<br><br>**Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that<br>1. utilizes Bluetooth low energy technology,<br>2. it is paired with, and<br>3. has an application that can accept the meter data.<br><br>media node |

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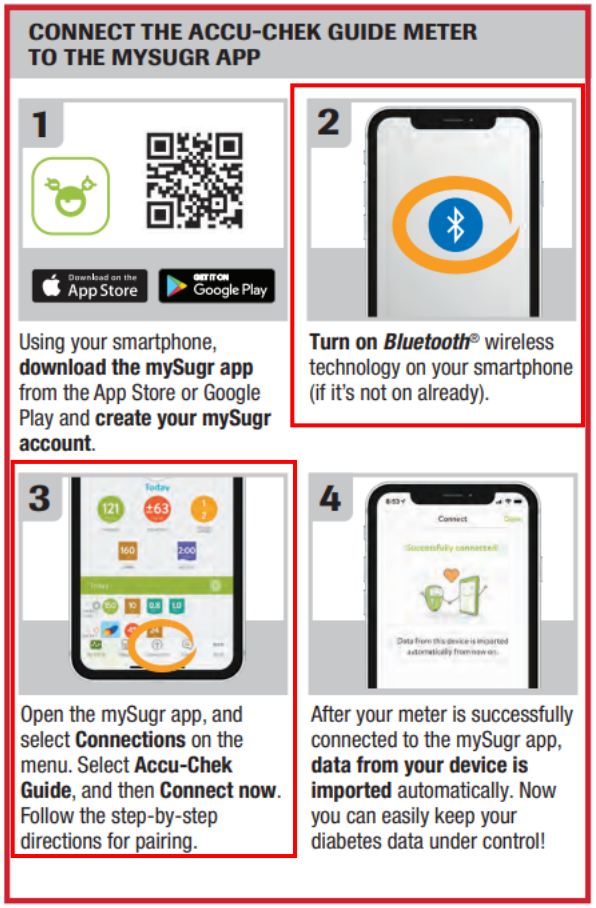
| | Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70 (annotated)<br>  <br>Source: https://www.accu-chek.com/document/accu-chek-guide-quick-start-guide-2/download, Page 1 of 2 |

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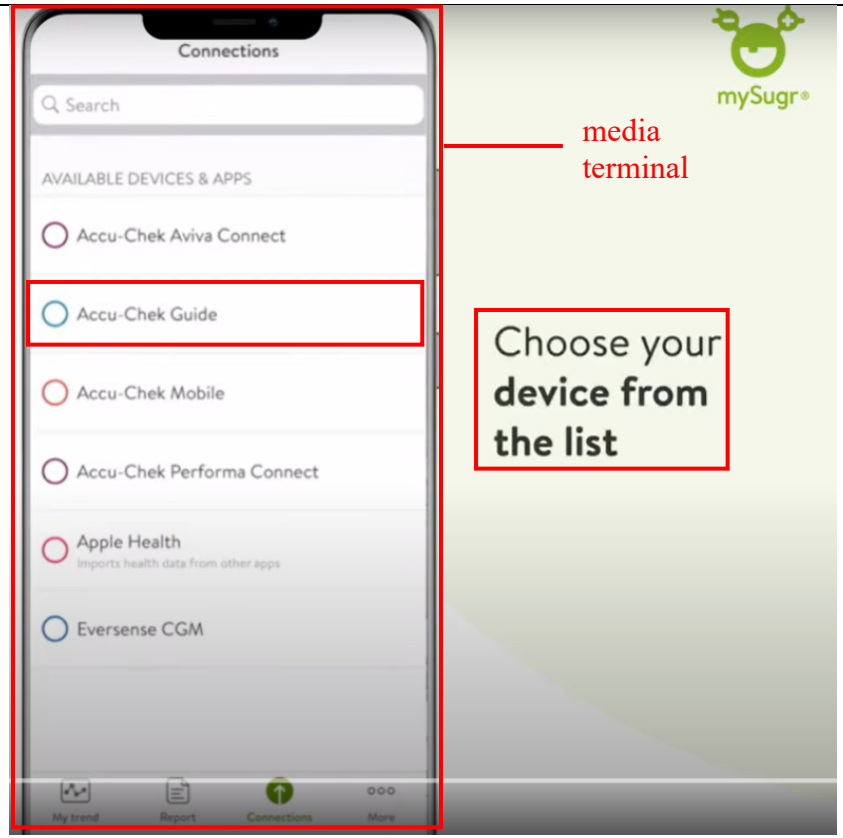


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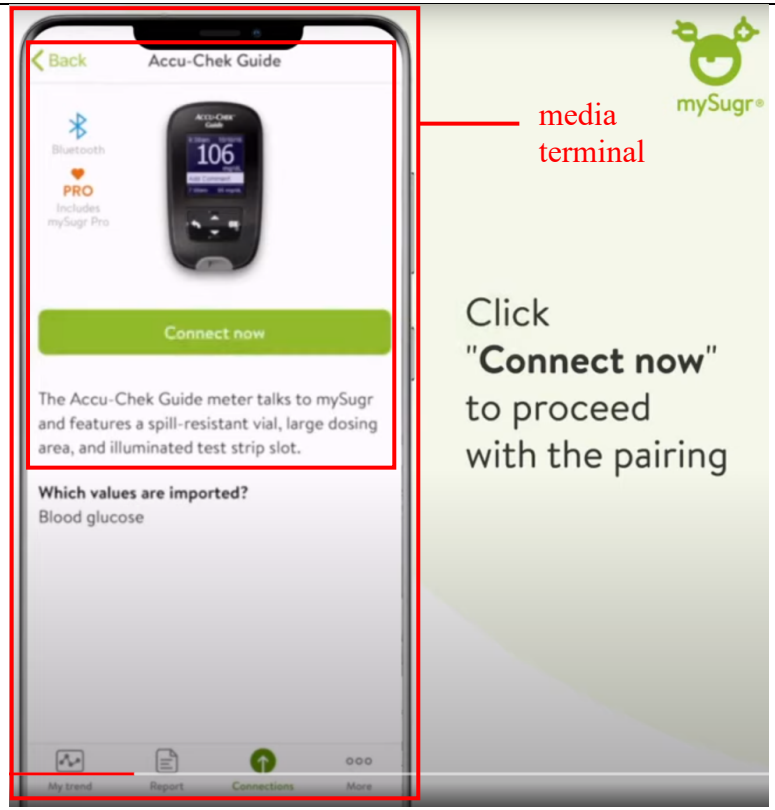


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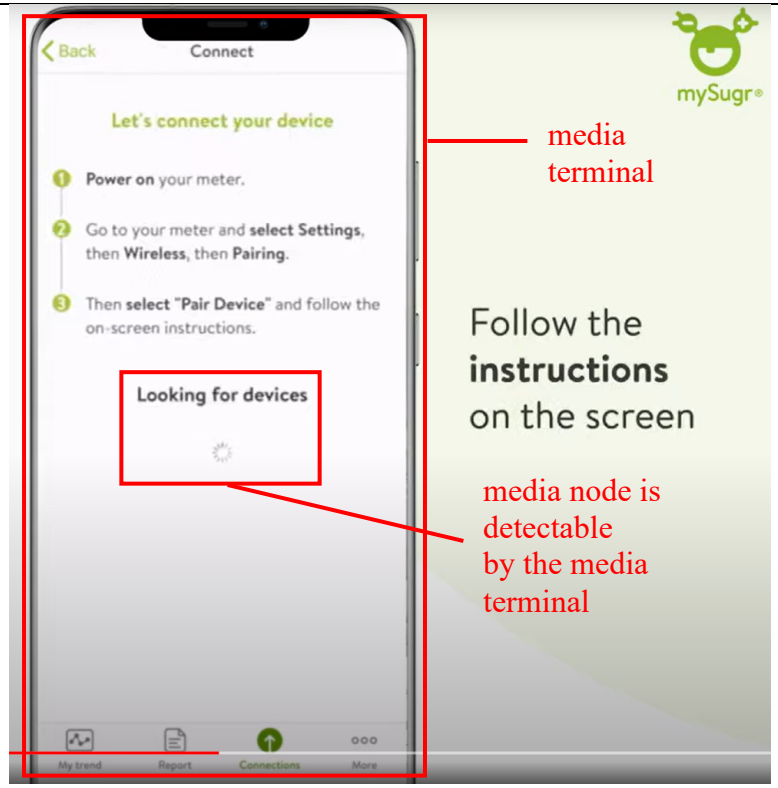


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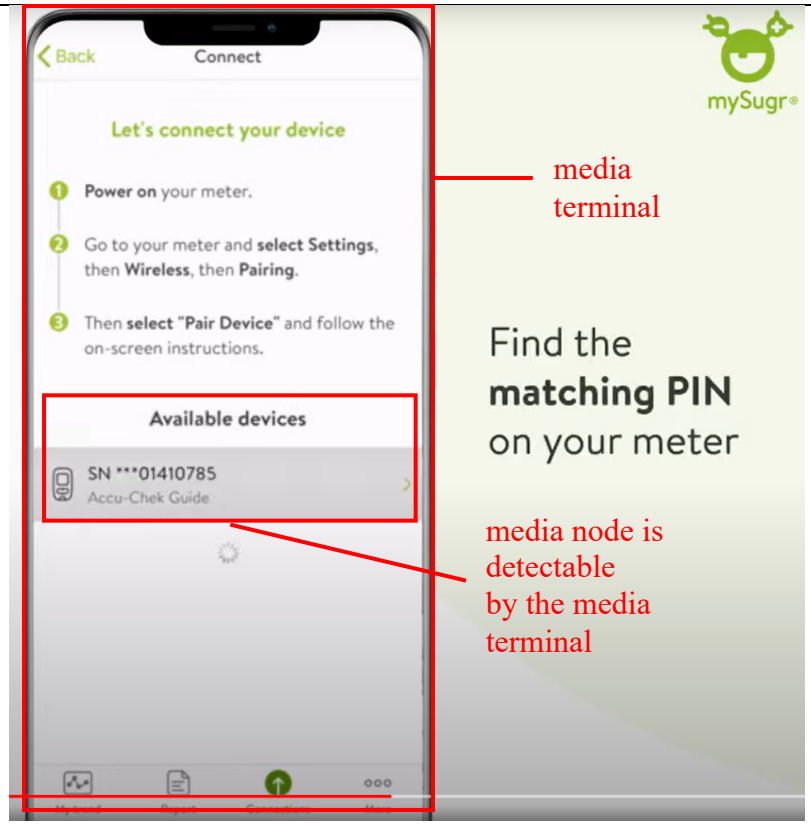


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| | **How can I transfer Accu-Chek meter data to mySugr?**<br><br>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.<br><br>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:<br><br>1. If you are using an Apple device, make sure Bluetooth® is turned on.<br><br>a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.<br><br>2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)<br>3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.<br>4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.<br>5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.<br>6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<br><br>Source: https://www.accu-chek.com/support/products/guide<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [1.4] at least one digital media file initially | Company makes, uses, sells and/or offers to sell at least one digital media file initially disposed on at least one of said at least one media terminal or said at least one media node, said at least one media terminal being structured to detect said at least one media node disposed within said wireless range. |

Exhibit 4 to the Complaint.

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| disposed on at least one of said at least one media terminal or said at least one media node, said at least one media terminal being structured to detect said at least one media node disposed within said wireless range, | This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the Accu-Chek Guide meter measures the blood sugar levels ("digital media file"). These measured blood sugar levels are saved in the Accu-Chek Guide meter ("digital media file initially disposed on at least one of said media terminal or said at least one media node"). The mySugr app installed in the user's smartphone detects ("at least one media terminal structured to detect said at least one media node") the Accu-Chek Guide meter through Bluetooth and establishes a connection (gets paired).<br><br>**The Accu-Chek Guide System**<br>The Accu-Chek Guide blood glucose monitoring system is comprised of the Accu-Chek Guide meter and the Accu-Chek Guide test strips.<br>media node<br>The Accu-Chek Guide blood glucose monitoring system is intended to quantitatively measure glucose in fresh capillary whole blood from the fingertip, palm, and upper arm as an aid in monitoring the effectiveness of glucose control.<br>digital media file<br>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 2 of 70 (annotated) |

Exhibit 4 to the Complaint.

**Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that

1. utilizes Bluetooth low energy technology,
2. it is paired with, and
3. has an application that can accept the meter data.

media node

Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70 (annotated)

**5 mySugr Connectivity**

Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More

Source: https://www.accu-chek.com/products/meters/guide

Exhibit 4 to the Complaint.

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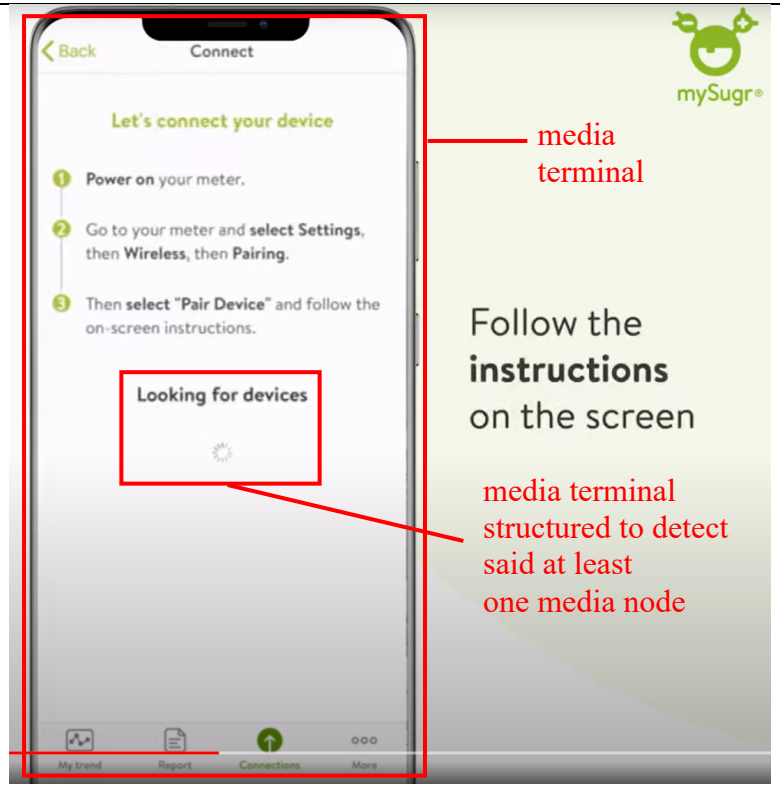
| | **How can I transfer Accu-Chek meter data to mySugr?** ^<br><br>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.<br><br>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:<br><br>1. If you are using an Apple device, make sure Bluetooth® is turned on.<br><br>a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.<br><br>2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)<br>3. Open the mySugr app and go to the “Connections” tab in the bar menu located at the bottom of the screen.<br>4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.<br>5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.<br>6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<br><br>Source: https://www.accu-chek.com/support/products/guide |

Exhibit 4 to the Complaint.




Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:19 (annotated)

Exhibit 4 to the Complaint.

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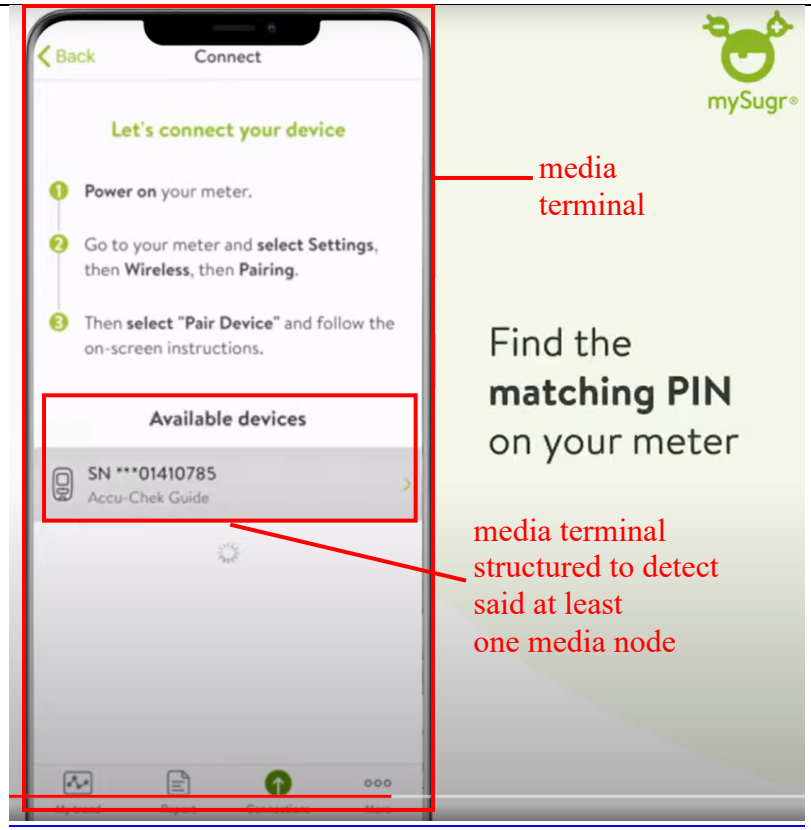
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:25 (annotated)<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [1.5] a communication link structured to dispose said at least one | Company makes, uses, sells and/or offers to sell a communication link structured to dispose said at least one media terminal and said at least one media node in a communicative relation with one another via said at least one interactive computer network.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents. |

Exhibit 4 to the Complaint.

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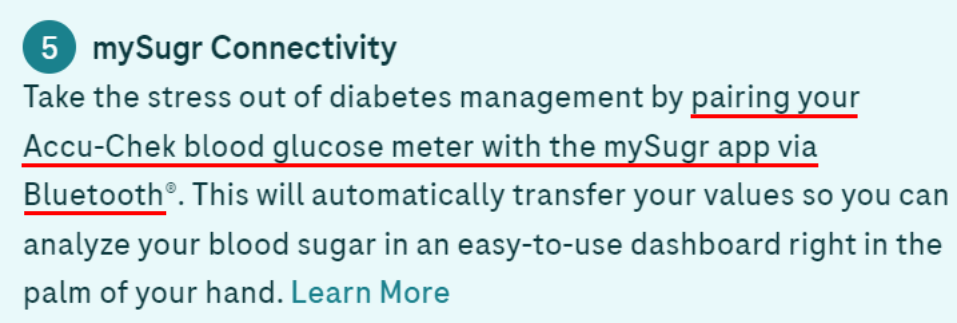
| media terminal and said at least one media node in a communicative relation with one another via said at least one interactive computer network, | For example, mySugr app installed on the user's smartphone and Accu-Chek Guide establishes a connection through Bluetooth pairing. This process creates a Bluetooth channel ("communication link structured to dispose") between Accu-Chek Guide meter and mySugr app for the transfer of the measured blood sugar levels ("a communicative relation with one another via said interactive computer network").<br><br>  <br><br>Source: https://www.accu-chek.com/products/meters/guide |

Exhibit 4 to the Complaint.

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| | **Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that<br>1. utilizes Bluetooth low energy technology,<br>2. it is paired with, and<br>3. has an application that can accept the meter data.<br>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70 |

Exhibit 4 to the Complaint.

**How can I transfer Accu-Chek meter data to mySugr?**

Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.

Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:

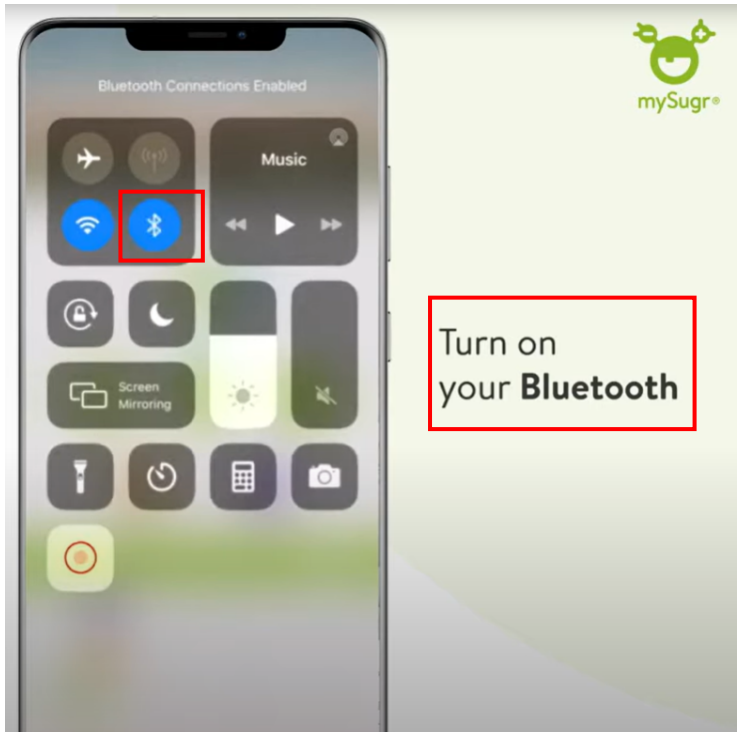
1. If you are using an Apple device, make sure Bluetooth® is turned on.

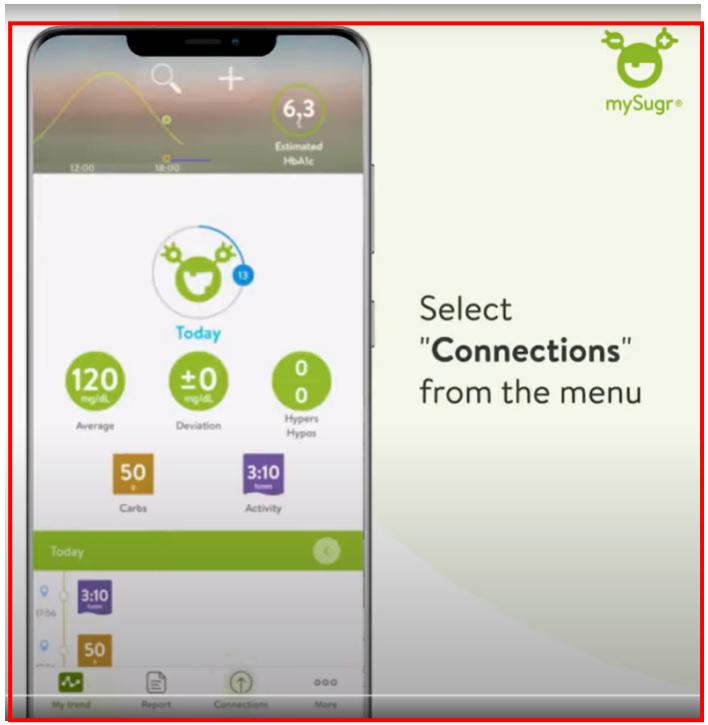
a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.

2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)
3. Open the mySugr app and go to the “Connections” tab in the bar menu located at the bottom of the screen.
4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.
5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.
6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen

Source: https://www.accu-chek.com/support/products/guide

Exhibit 4 to the Complaint.




Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:07, 0:09

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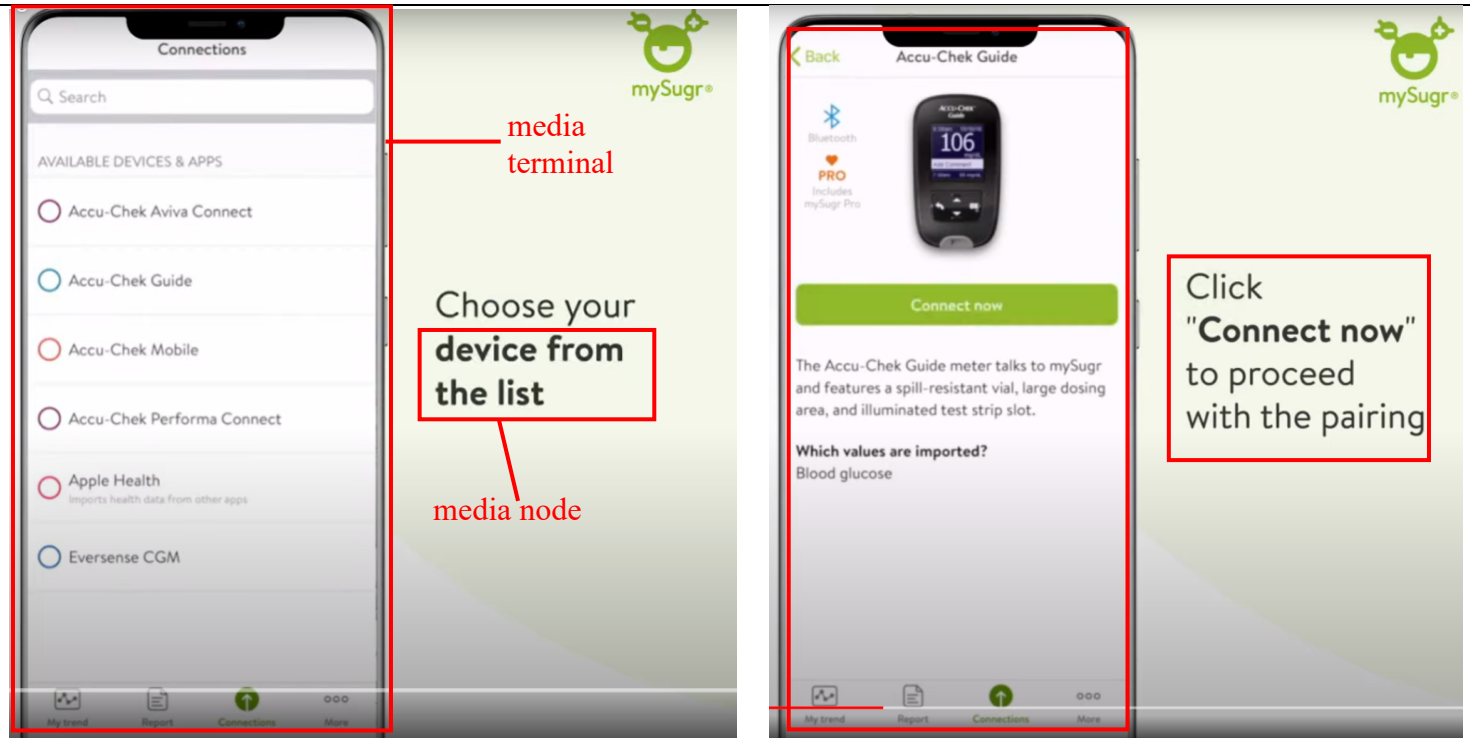


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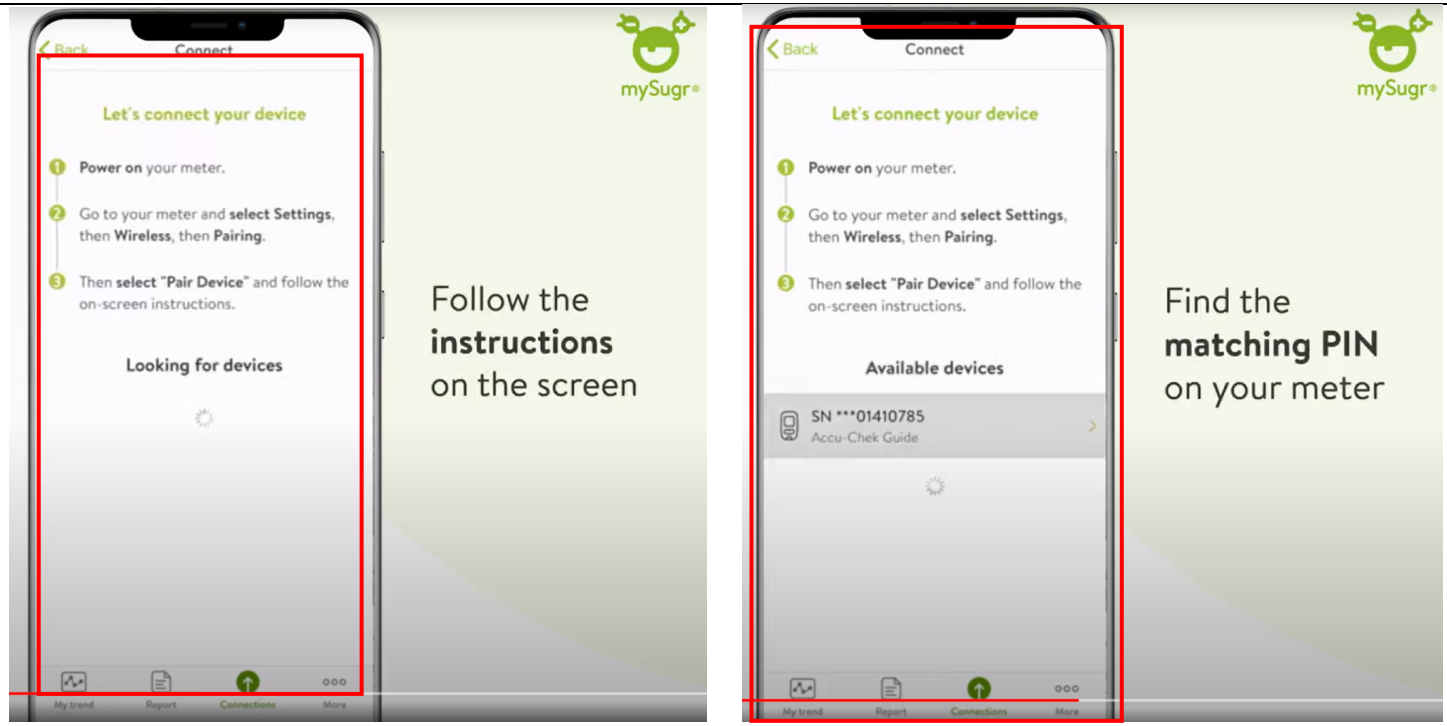


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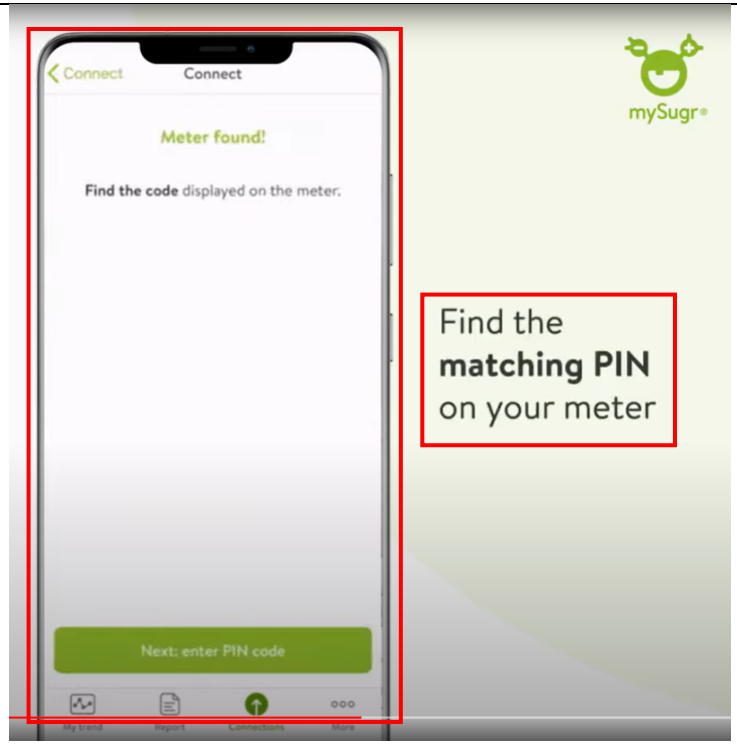


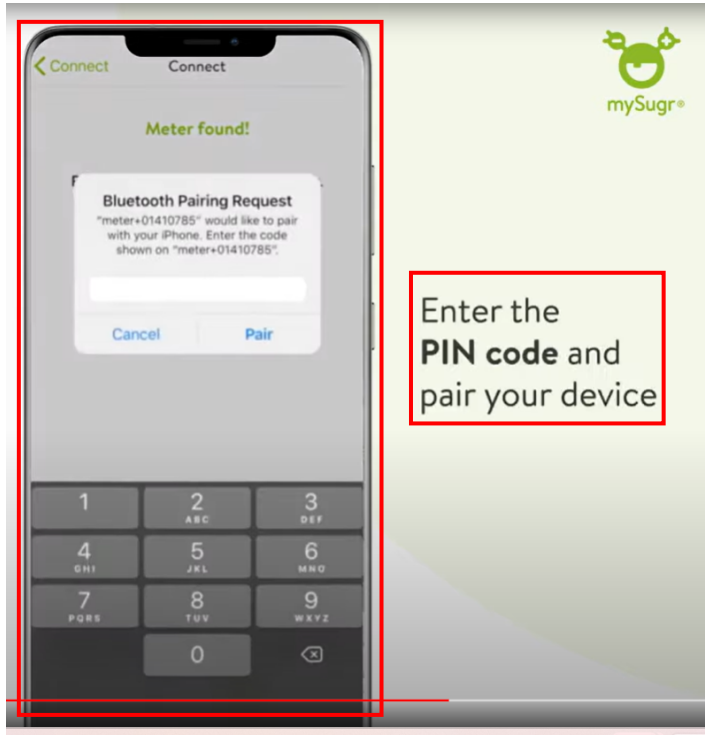


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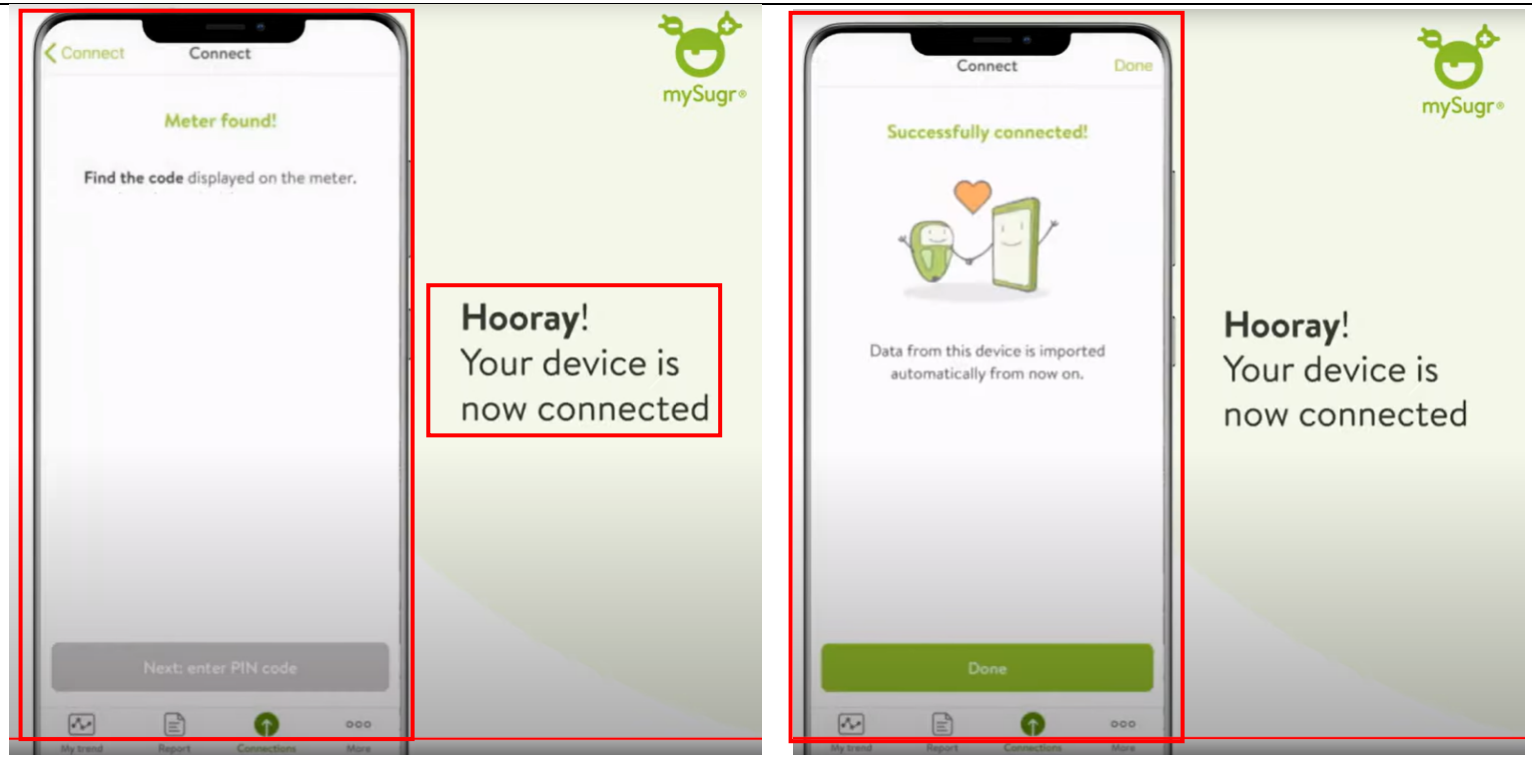


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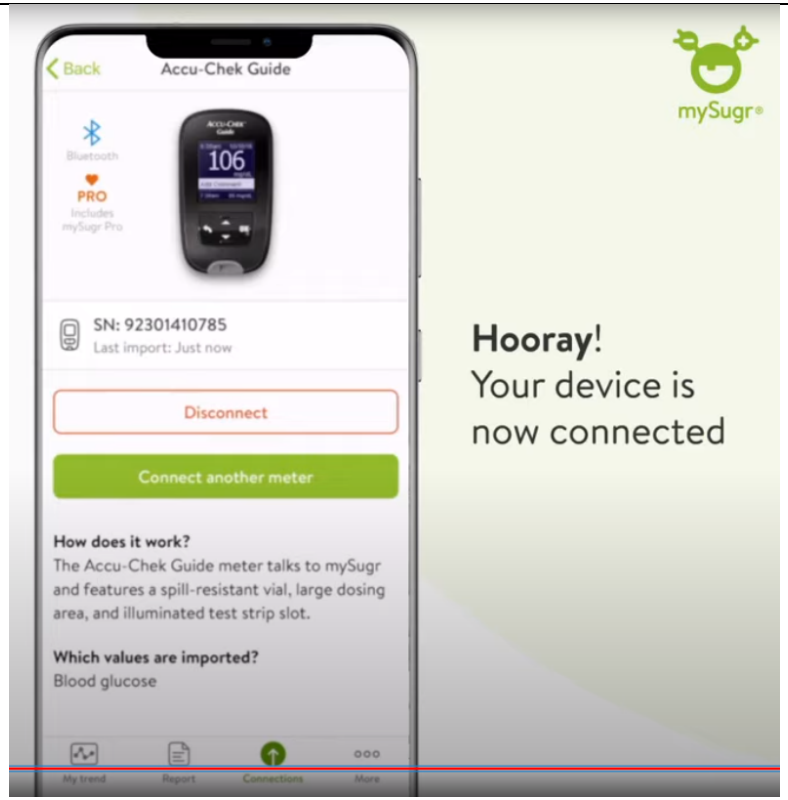
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [1.6] said communication link being initiated by said at least one | Company makes, uses, sells and/or offers to sell said communication link being initiated by said at least one media terminal.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the mySugr app, installed on the smartphone, initiates Bluetooth pairing to establish the communication channel with the Accu-Chek Guide. |

Exhibit 4 to the Complaint.

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| media terminal, | **How can I transfer Accu-Chek meter data to mySugr?**<br><br>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.<br><br>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:<br><br>1. If you are using an Apple device, make sure Bluetooth® is turned on.<br><br>a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.<br><br>2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)<br>3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.<br>4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.<br>5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.<br>6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<br><br>Source: https://www.accu-chek.com/support/products/guide |

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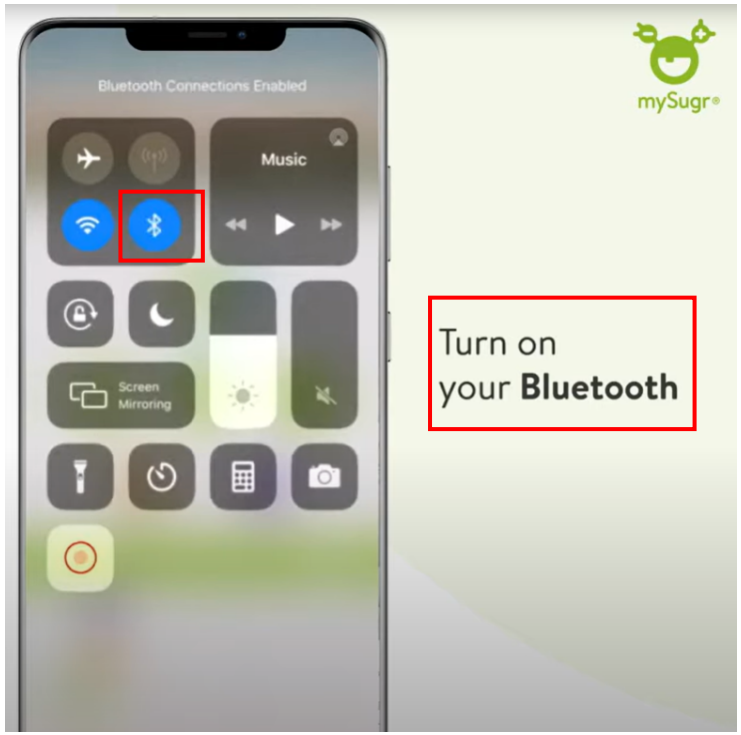


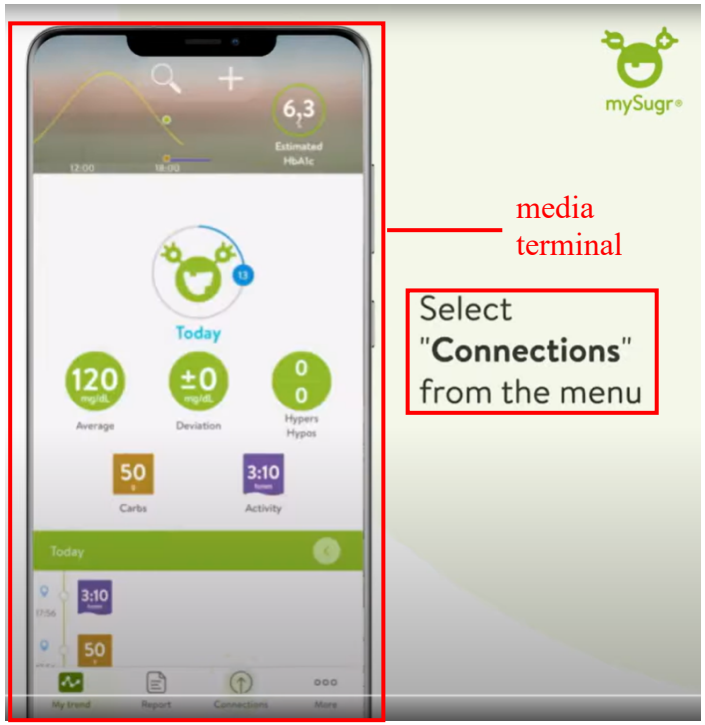


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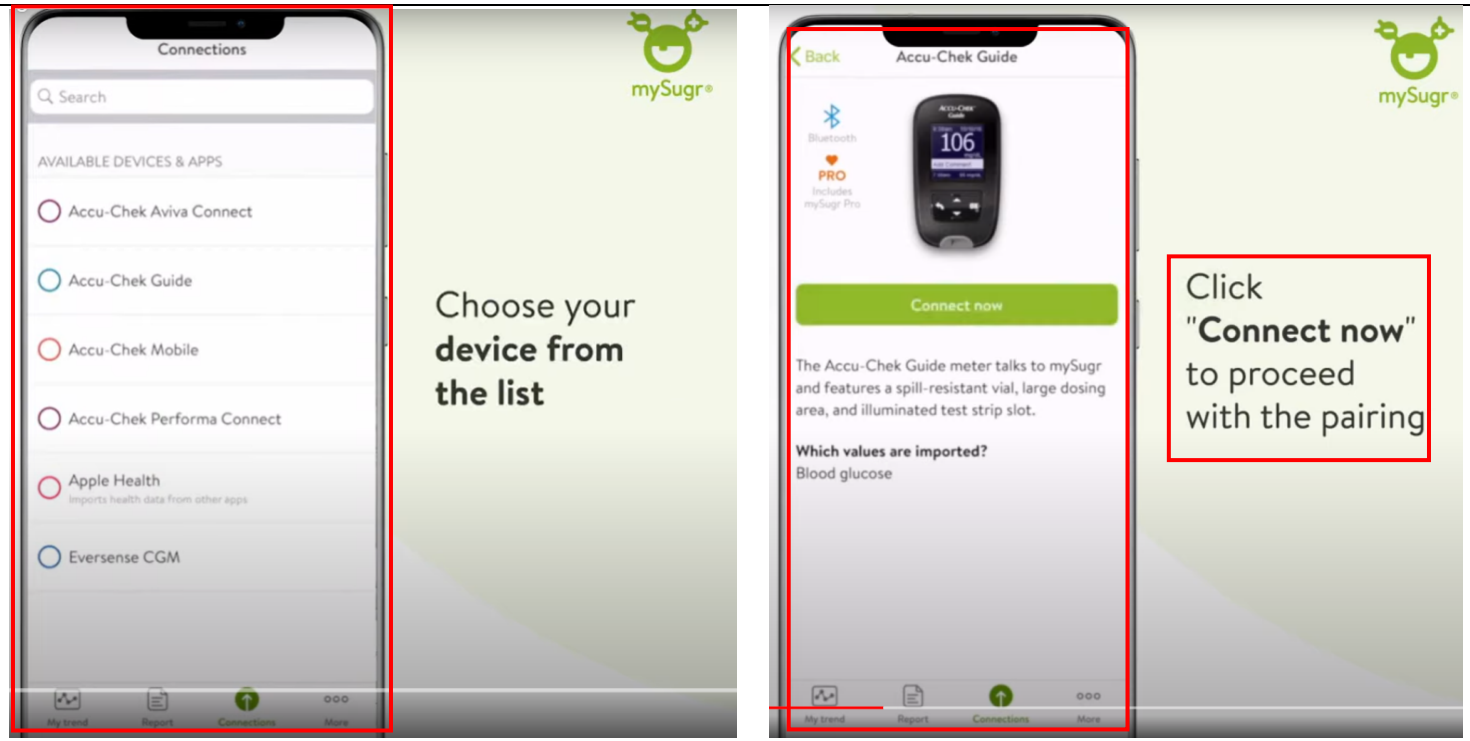


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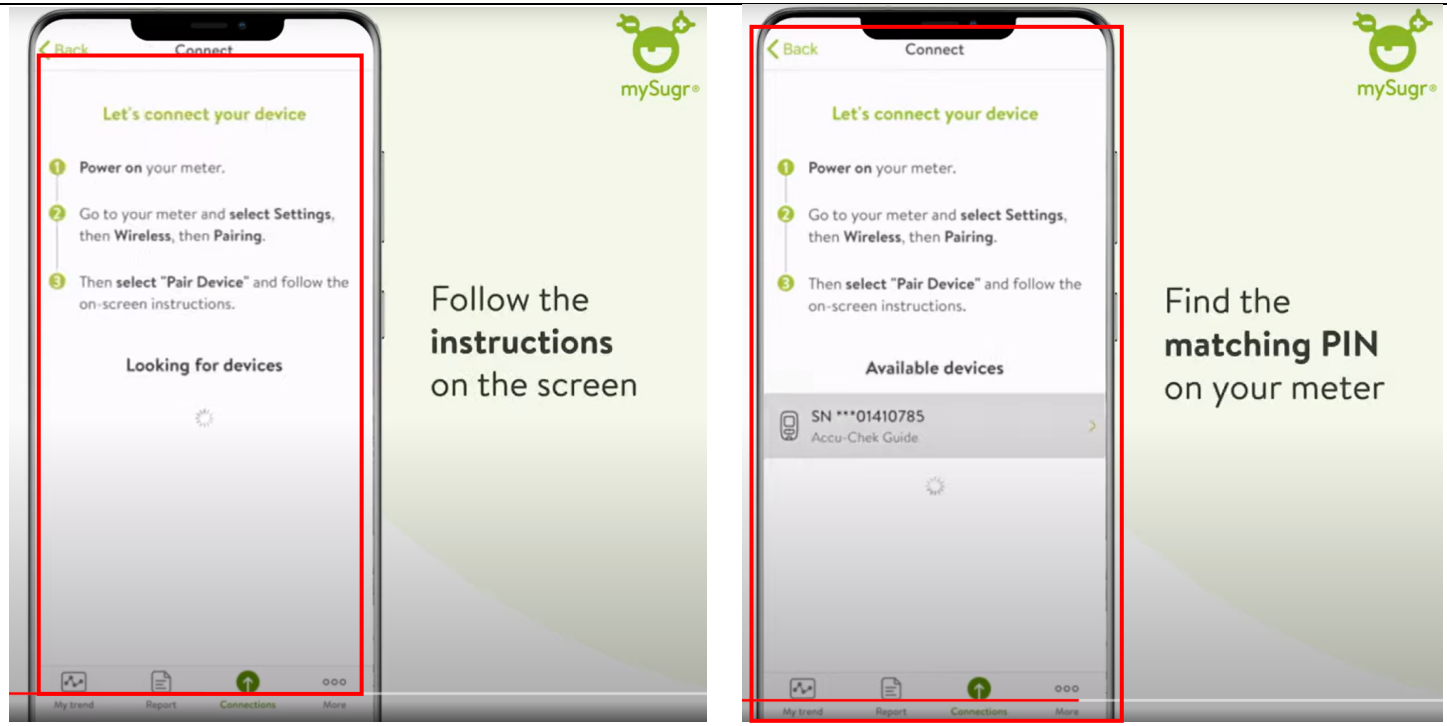


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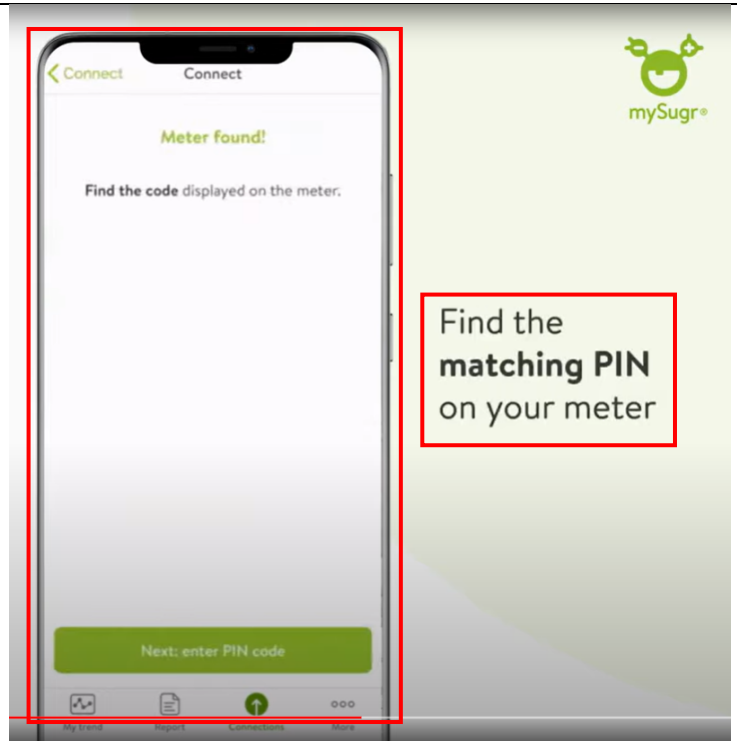


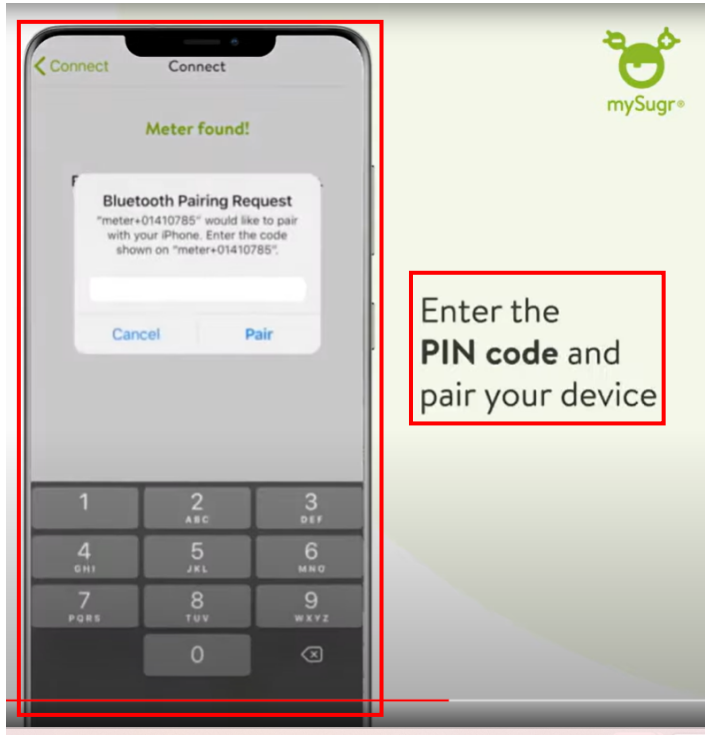


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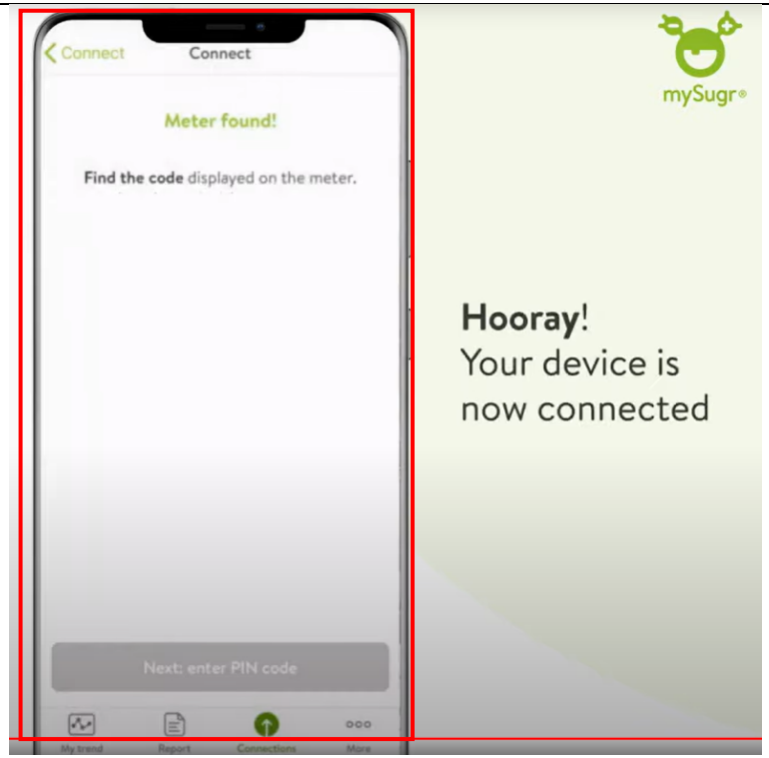


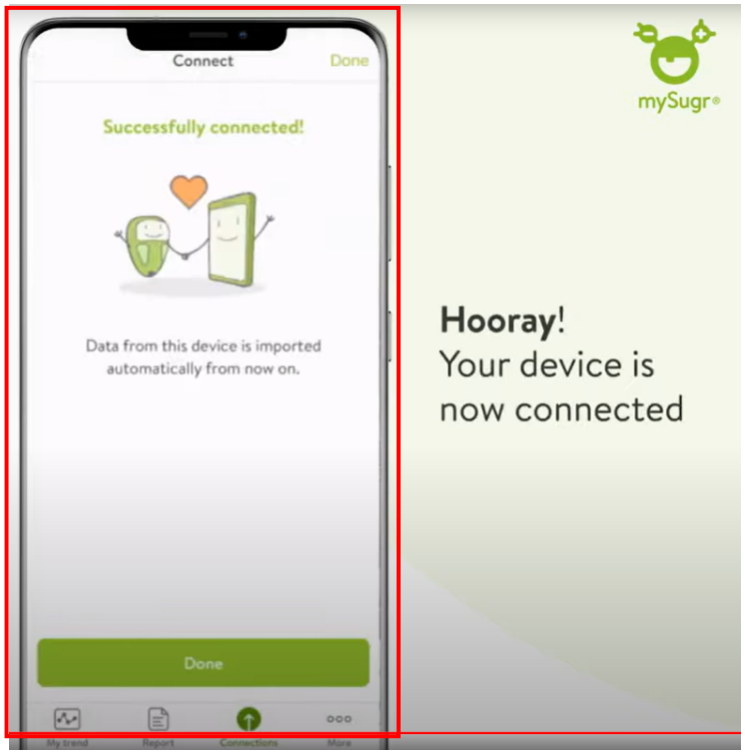


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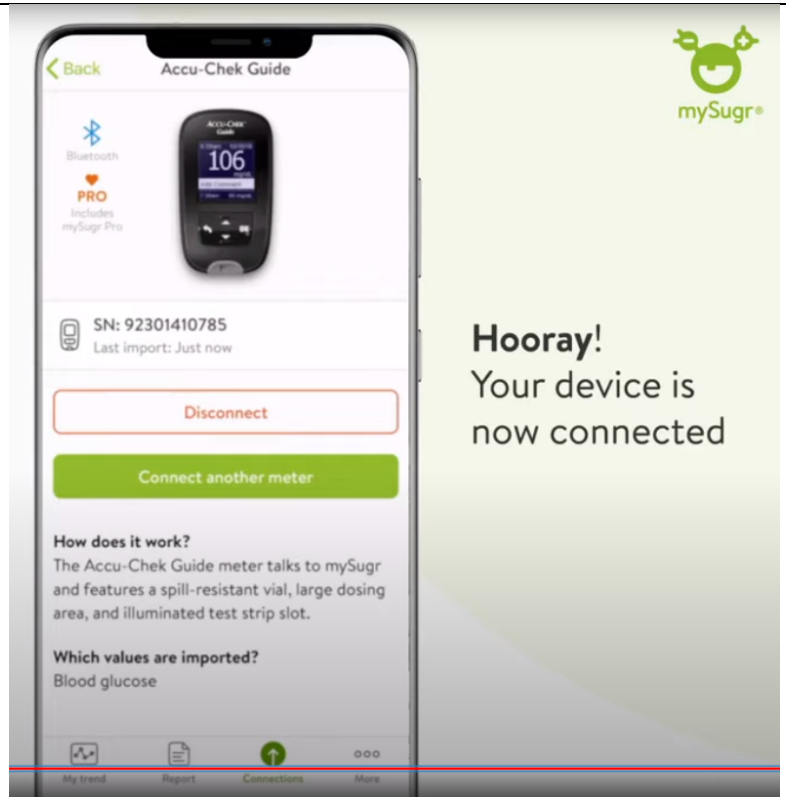
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [1.7] said at least one media node and said at least one media | Company makes, uses, sells and/or offers to sell said at least one media node and said at least one media terminal being structured to transmit said at least one digital media file therebetween via said communication link.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, after establishing a Bluetooth channel ("communication link") between the mySugr app installed on the user's smartphone and the Accu-Chek Guide, the Accu-Chek Guide ("media node") sends ("structured to transmit") the |

Exhibit 4 to the Complaint.

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| terminal being structured to transmit said at least one digital media file therebetween via said communication link, and | measured blood sugar levels ("at least one digital media file") to the mySugr app installed on the user's smartphone ("media terminal").<br><br>**5 mySugr Connectivity**<br>Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More<br>Source: https://www.accu-chek.com/products/meters/guide<br><br>**Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that<br>1. utilizes Bluetooth low energy technology,<br>2. it is paired with, and<br>3. has an application that can accept the meter data.<br>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70 |

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| | **How can I transfer Accu-Chek meter data to mySugr?** <br><br>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.<br><br>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:<br><br>1. If you are using an Apple device, make sure Bluetooth® is turned on.<br><br>a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.<br><br>2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)<br>3. Open the mySugr app and go to the “Connections” tab in the bar menu located at the bottom of the screen.<br>4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.<br>5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.<br>6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<br>Source: https://www.accu-chek.com/support/products/guide |

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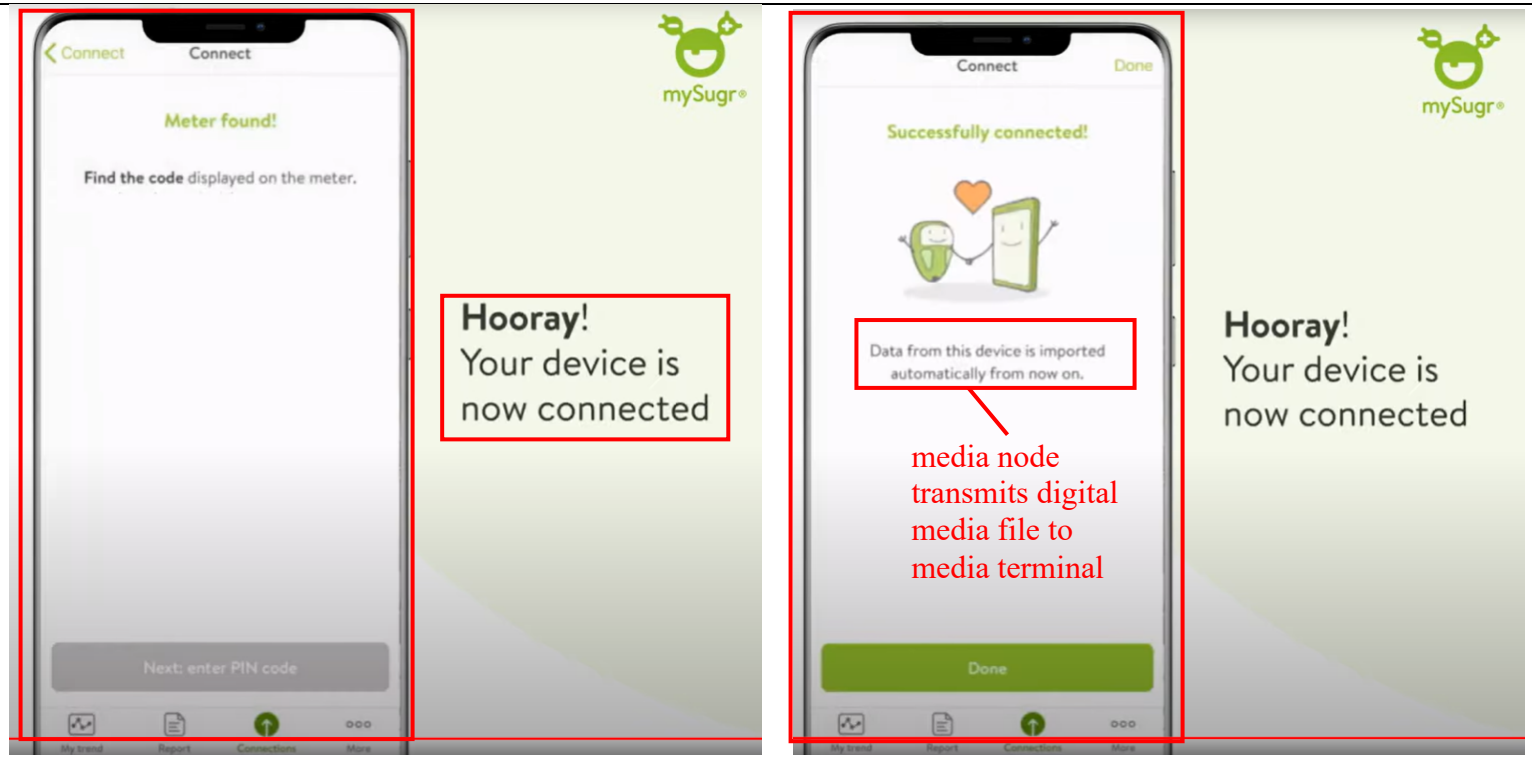


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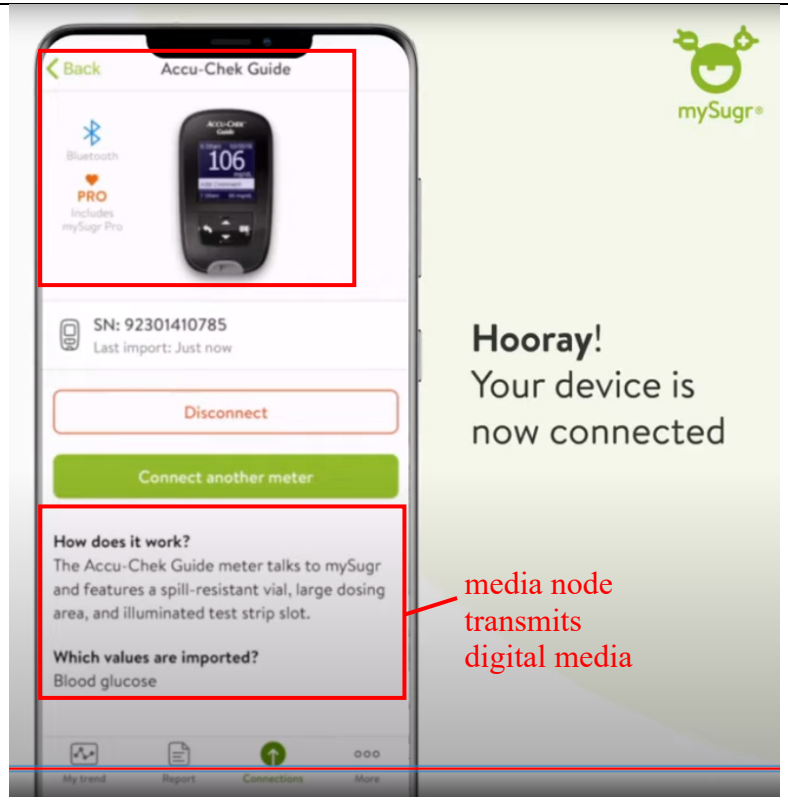
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43 (annotated)<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [1.8] said communication link is structured to bypass at least one | Company makes, uses, sells and/or offers to sell said communication link is structured to bypass at least one media terminal security measure for a limited permissible use of the communication link by the media node to only transferring the at least one digital media file to, and displaying the at least one digital media file on, the at least one media terminal.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents. |

Exhibit 4 to the Complaint.

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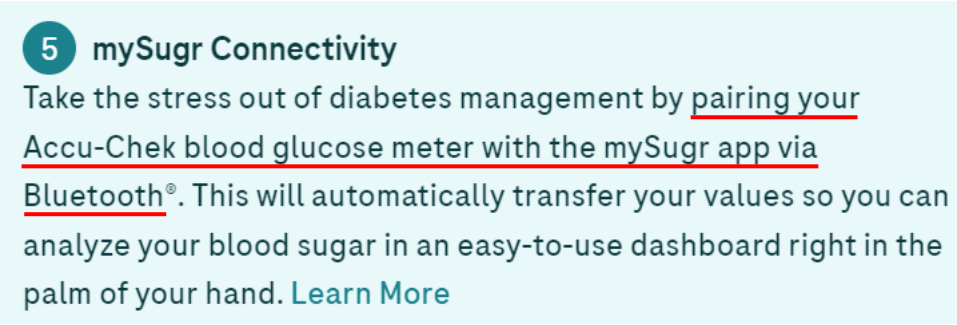
| media terminal security measure for a limited permissible use of the communication link by the media node to only transferring the at least one digital media file to, and displaying the at least one digital media file on, the at least one media terminal. | For example, the Accu-Chek Guide meter and the mySugr app do not require users to input a PIN ("security measure") every time they communicate. Instead, the PIN input is necessary during the initial pairing process, and thereafter, the devices automatically exchange data without requiring users to re-enter the PIN ("at least one media terminal security measure"). The Accu-Chek Guide meter uses that communication channel only for transmitting the measured blood sugar levels to the mySugr app ("bypass at least one media terminal security measure for a limited permissible use of the communication link by the media node to only transferring the at least one digital media file"). The mySugr app displays the received the measured blood sugar levels. Therefore, upon information and belief, the Bluetooth channel created between Accu-Chek Guide meter and mySugr app bypass at least one media terminal security measure.<br><br>  <br>Source: https://www.accu-chek.com/products/meters/guide |

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| | **Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that<br>1. utilizes Bluetooth low energy technology,<br>2. it is paired with, and<br>3. has an application that can accept the meter data.<br>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70 |

Exhibit 4 to the Complaint.

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Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.

Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:

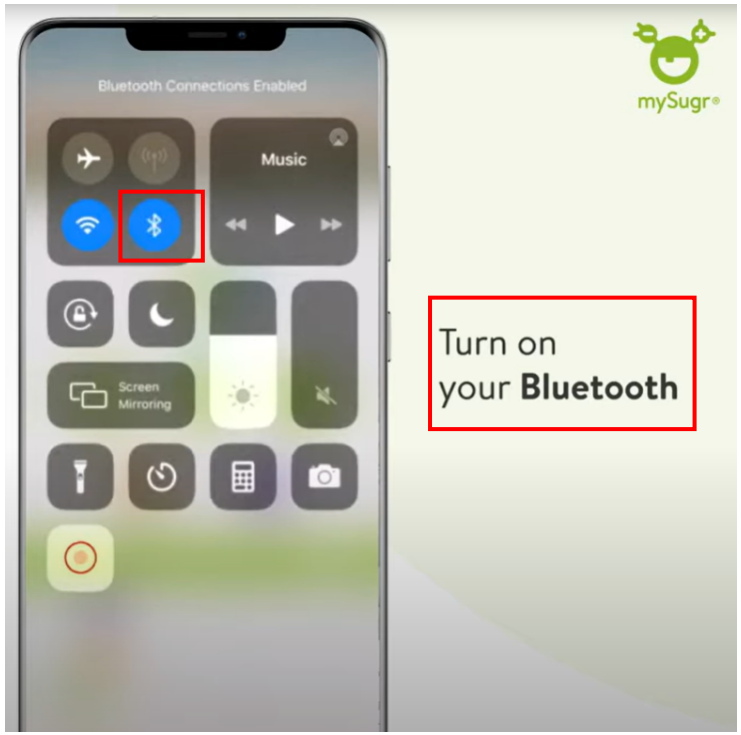
1. If you are using an Apple device, make sure Bluetooth® is turned on.

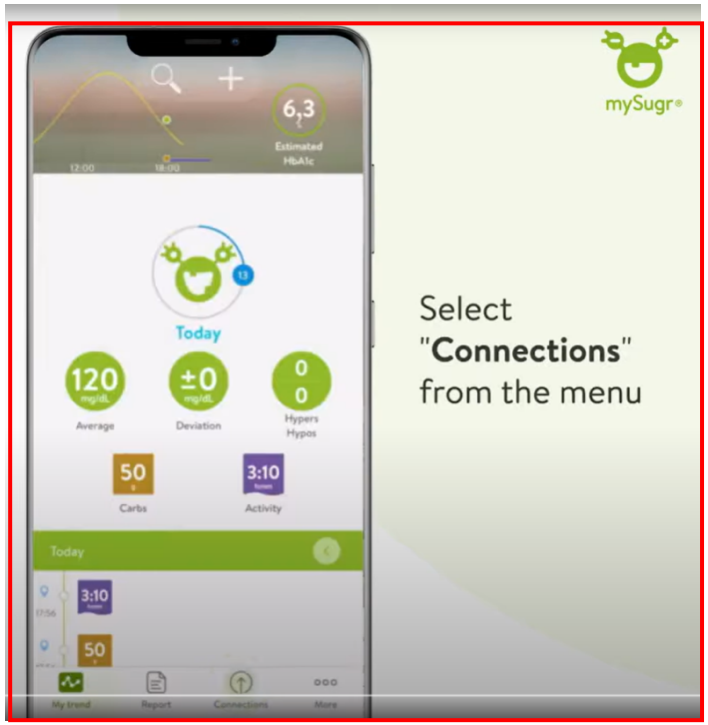
a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.

2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)
3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.
4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.
5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.
6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen

Source: https://www.accu-chek.com/support/products/guide

Exhibit 4 to the Complaint.

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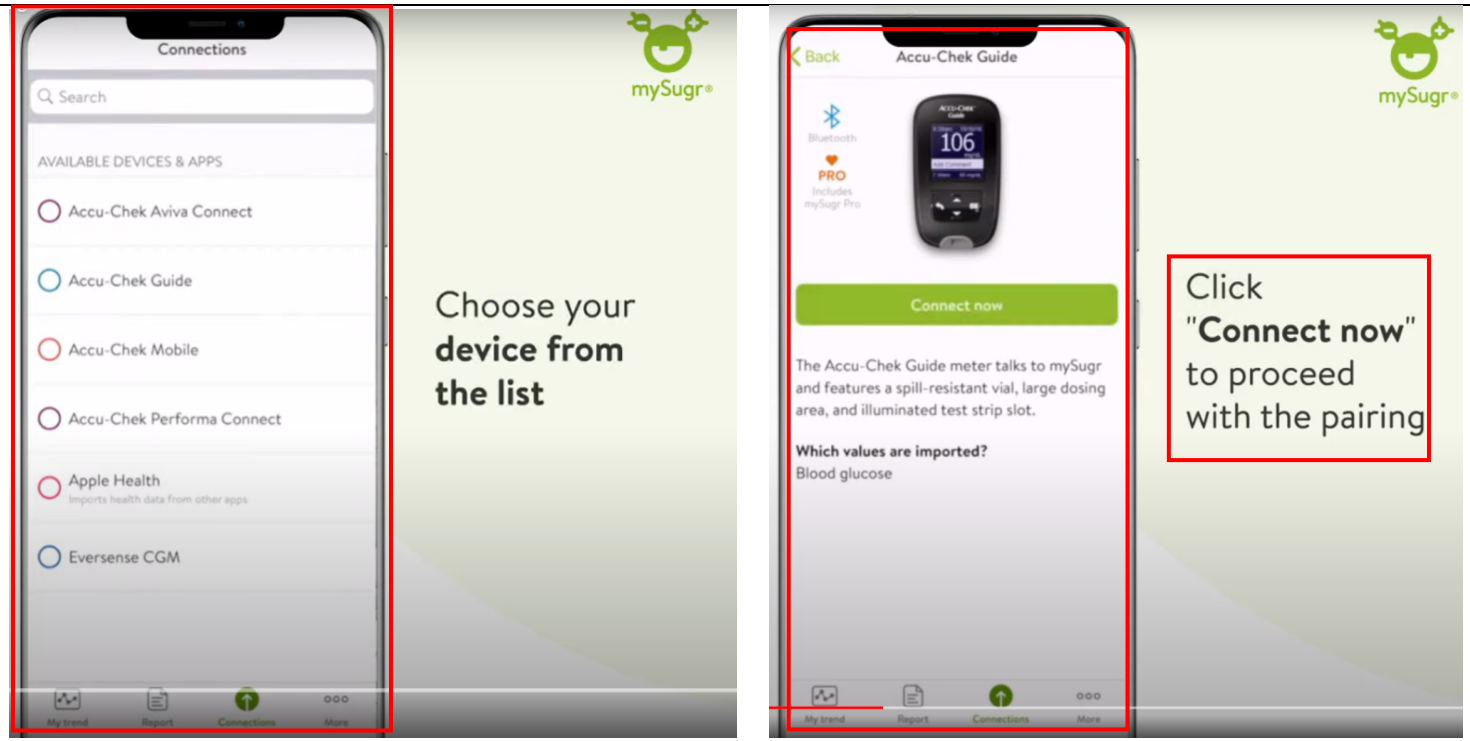


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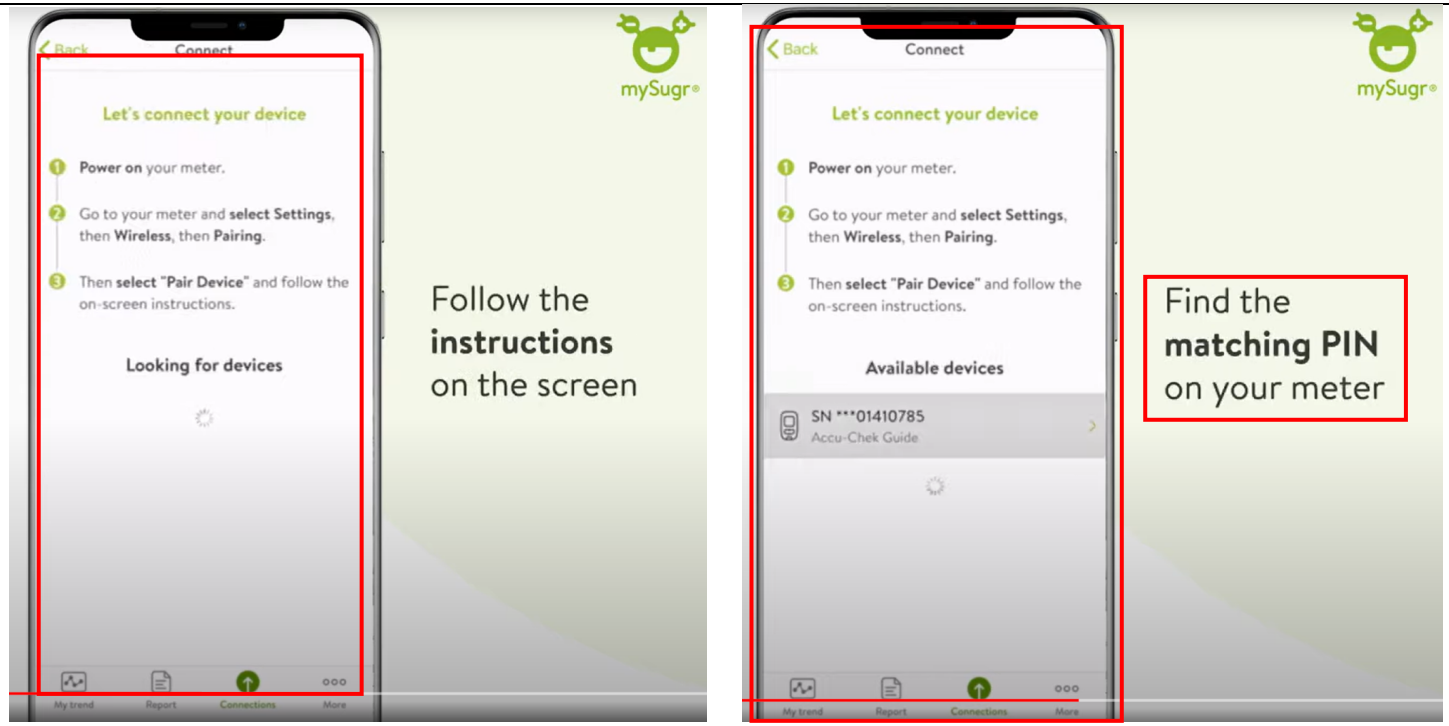


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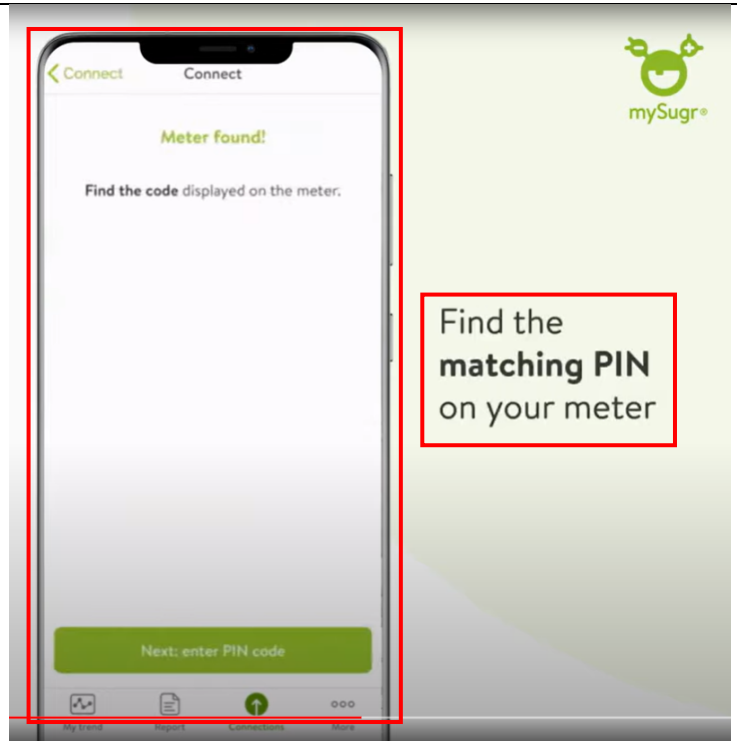


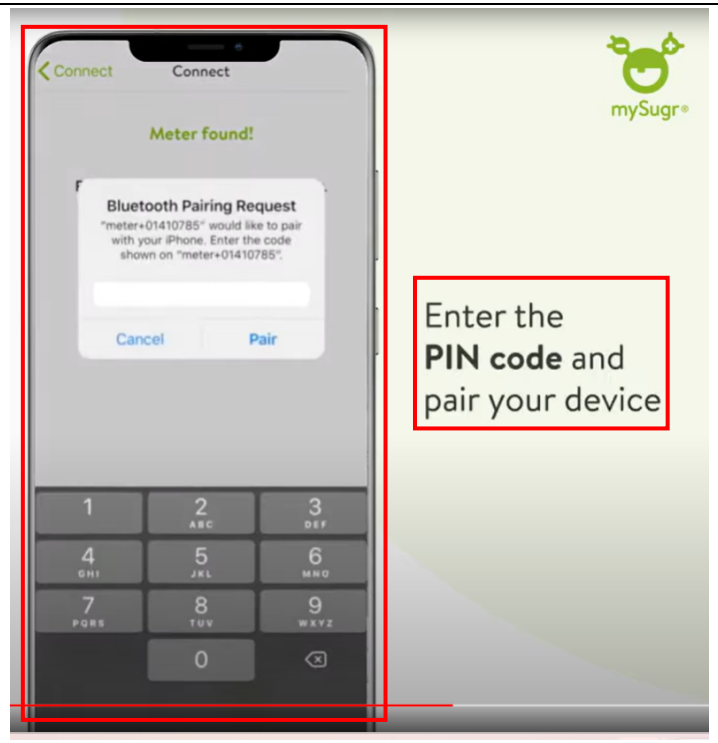


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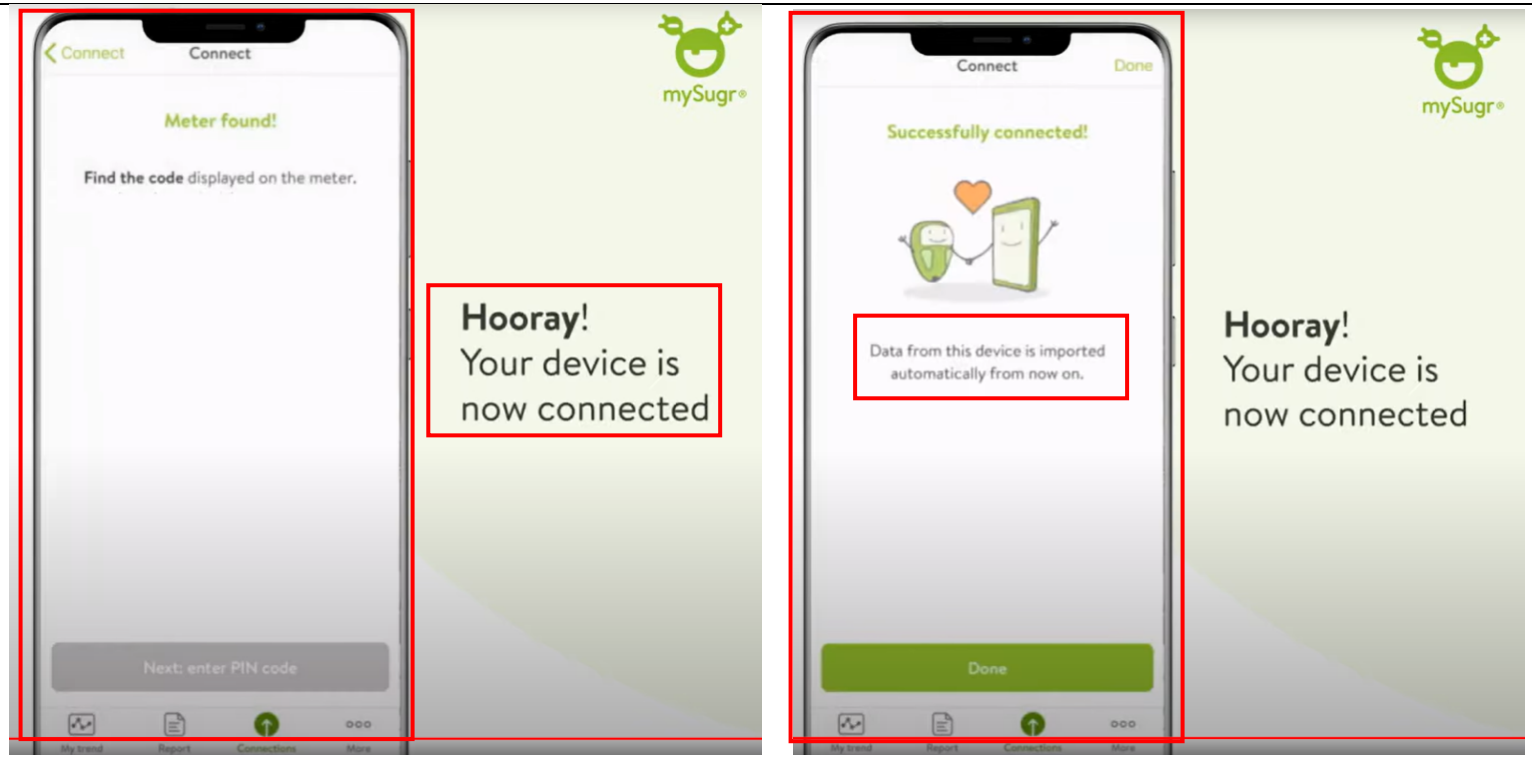


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## Connecting your devices & services

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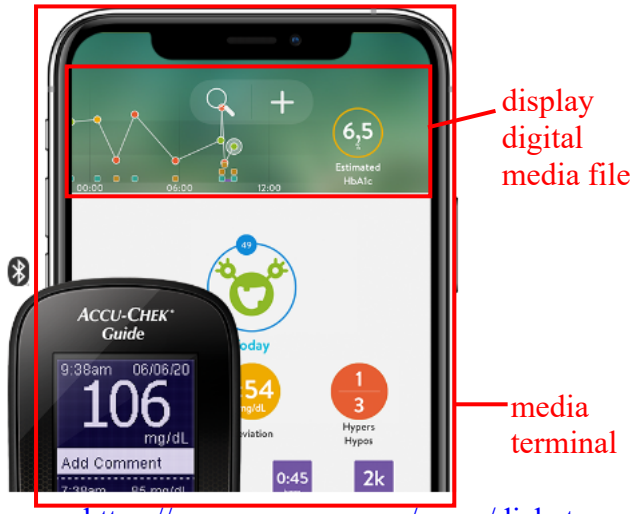
Source: https://www.mysugr.com/en-us/diabetes-app/




Source: https://www.mysugr.com/en-us/diabetes-app/ (annotated)

Exhibit 4 to the Complaint.

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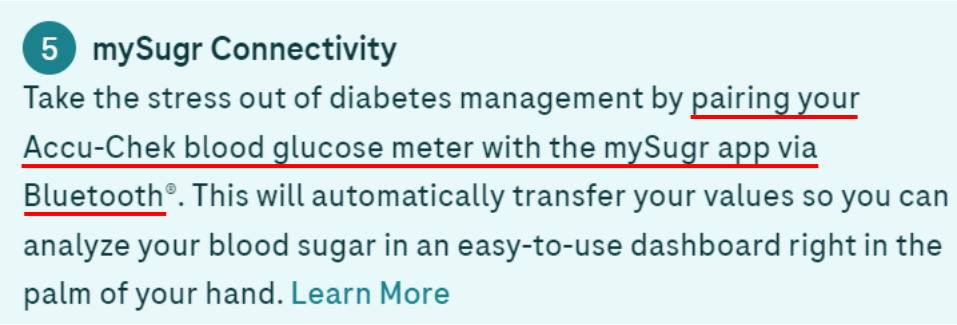
| | Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to the production of such source code by Company. |
| [3] The method of claim 1, wherein the transmission of the media file from the at least one media node to the at least one media terminal completely bypasses the security measure. | Company makes, uses, sells and/or offers to sell the transmission of the media file from the at least one media node to the at least one media terminal completely bypasses the security measure.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the Accu-Chek Guide meter and the mySugr app do not require users to input a PIN ("security measure") every time they communicate. Instead, the PIN input is necessary during the initial pairing process, and thereafter, the devices automatically exchange data without requiring users to re-enter the PIN (bypasses the security measure). Therefore, upon information and belief, the Bluetooth channel created between Accu-Chek Guide meter and mySugr app bypass the security measure.<br><br>  <br>Source: https://www.accu-chek.com/products/meters/guide |

Exhibit 4 to the Complaint.

| | |
|---|---|
| | **Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that<br>1. utilizes Bluetooth low energy technology,<br>2. it is paired with, and<br>3. has an application that can accept the meter data.<br>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70 |

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1. If you are using an Apple device, make sure Bluetooth® is turned on.

a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.

2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)
3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.
4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.
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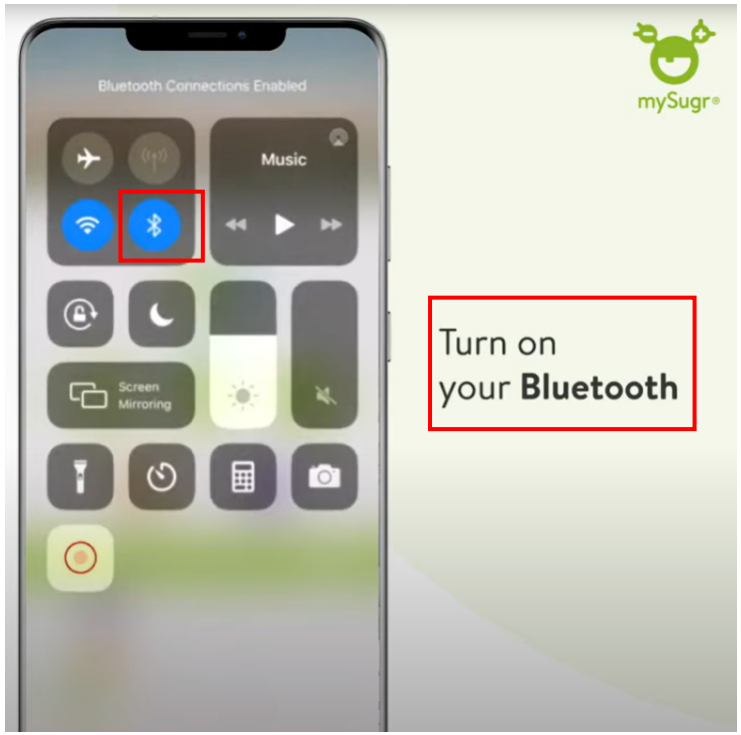


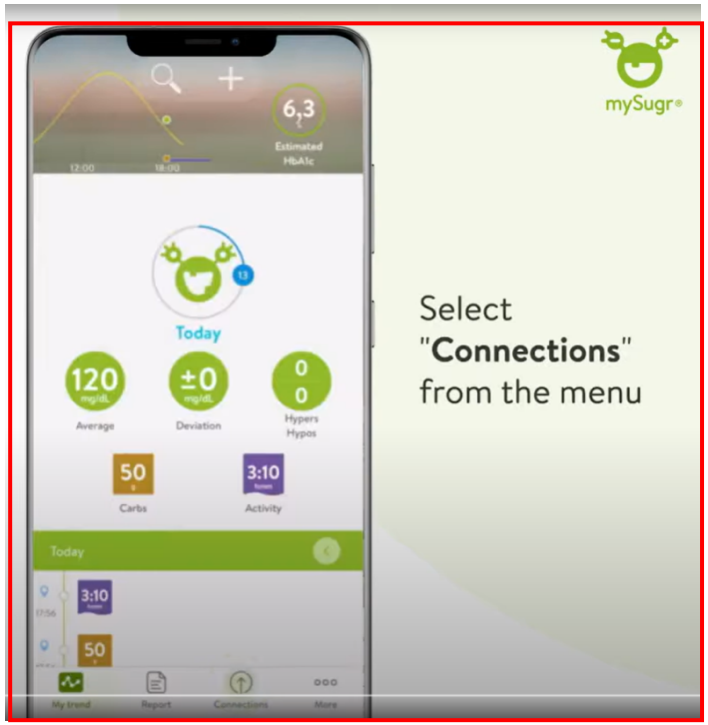


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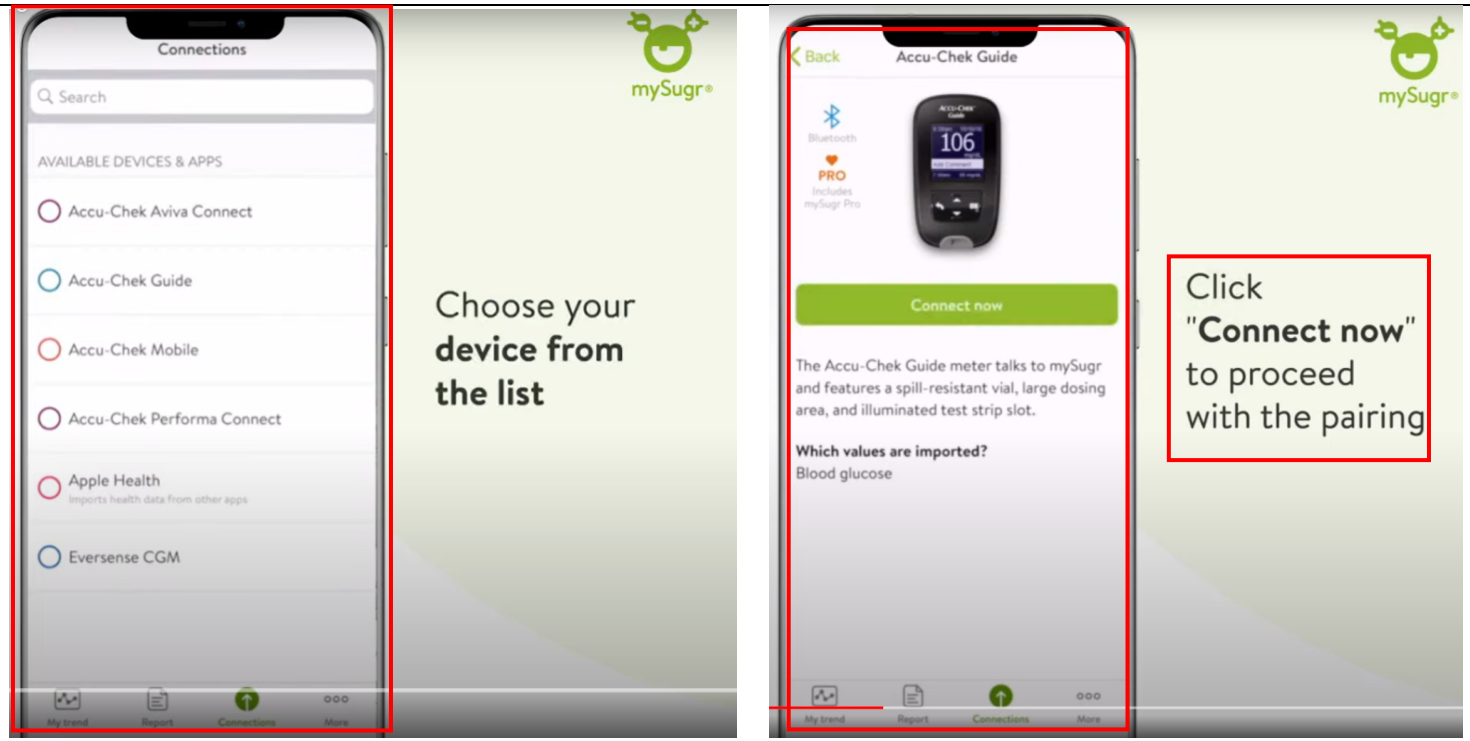


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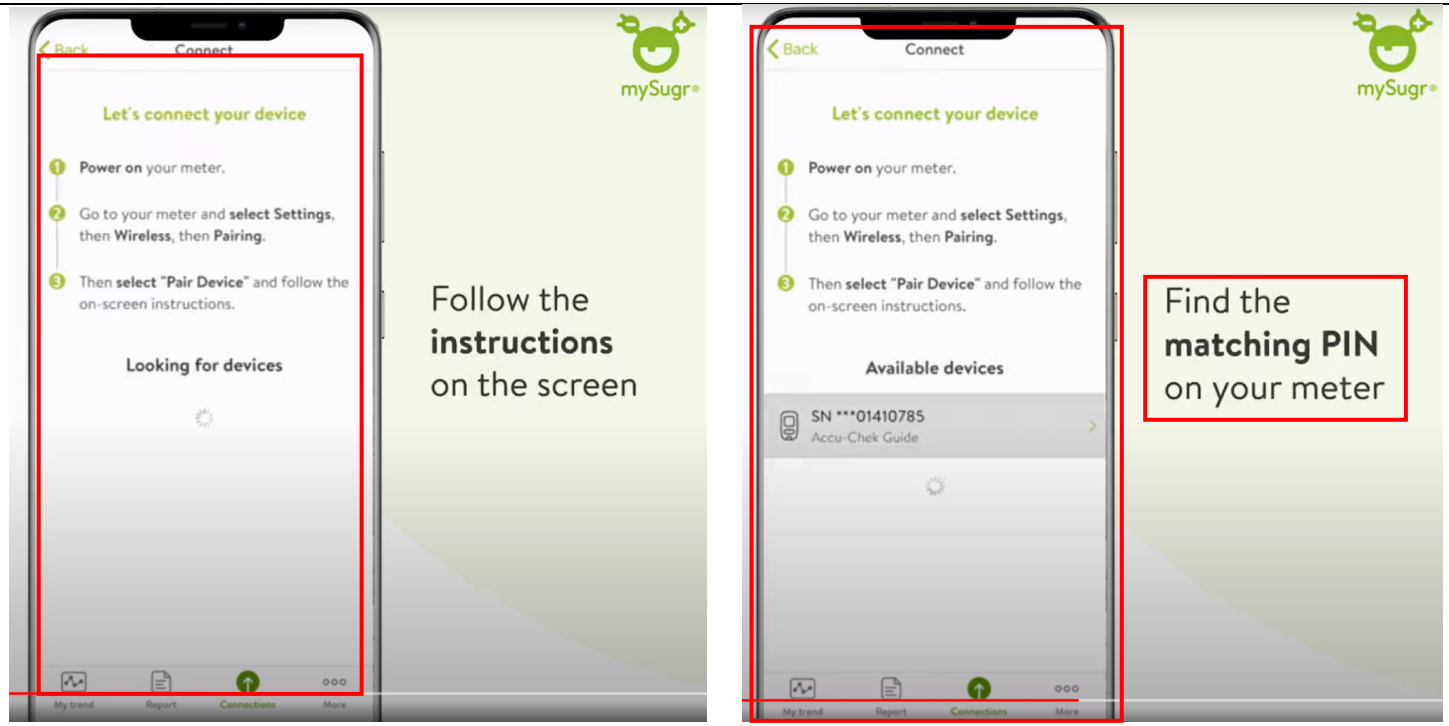


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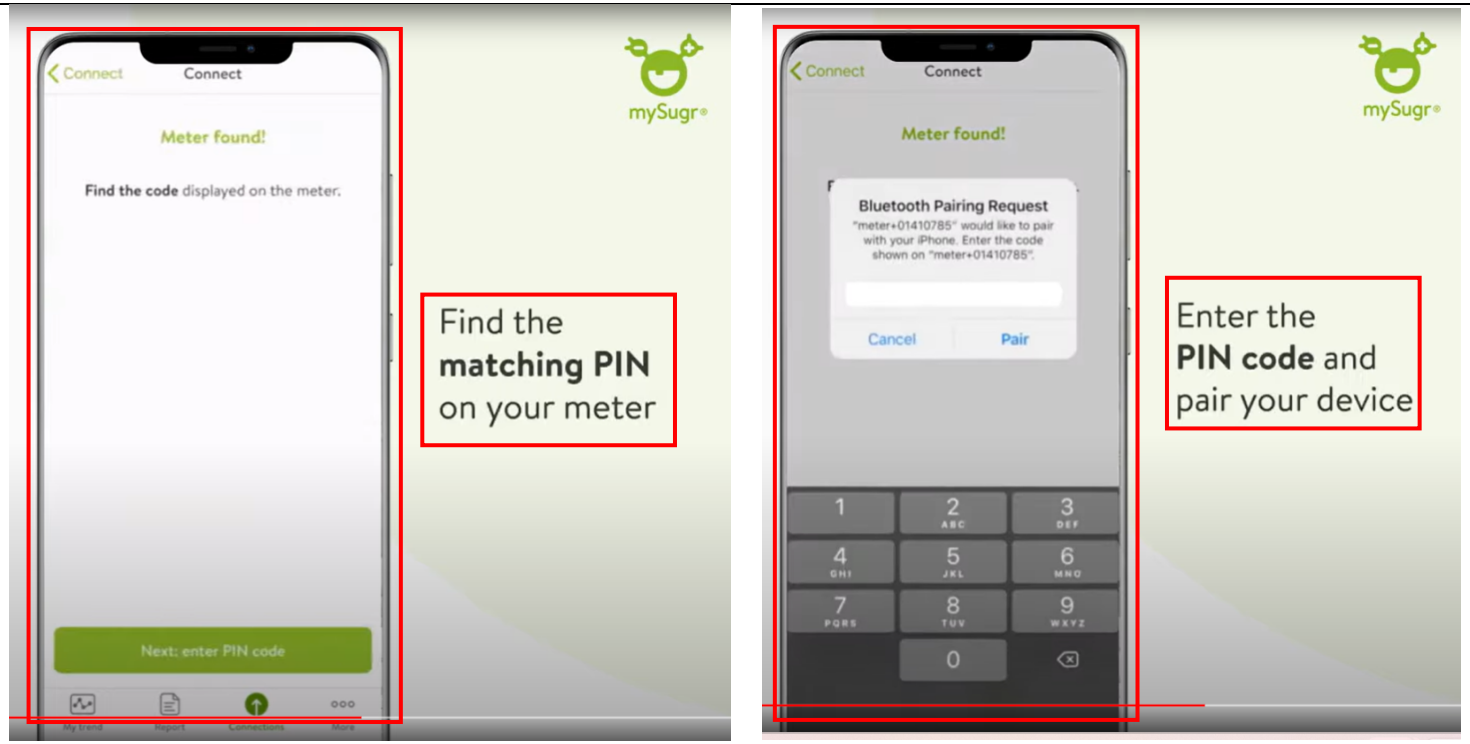


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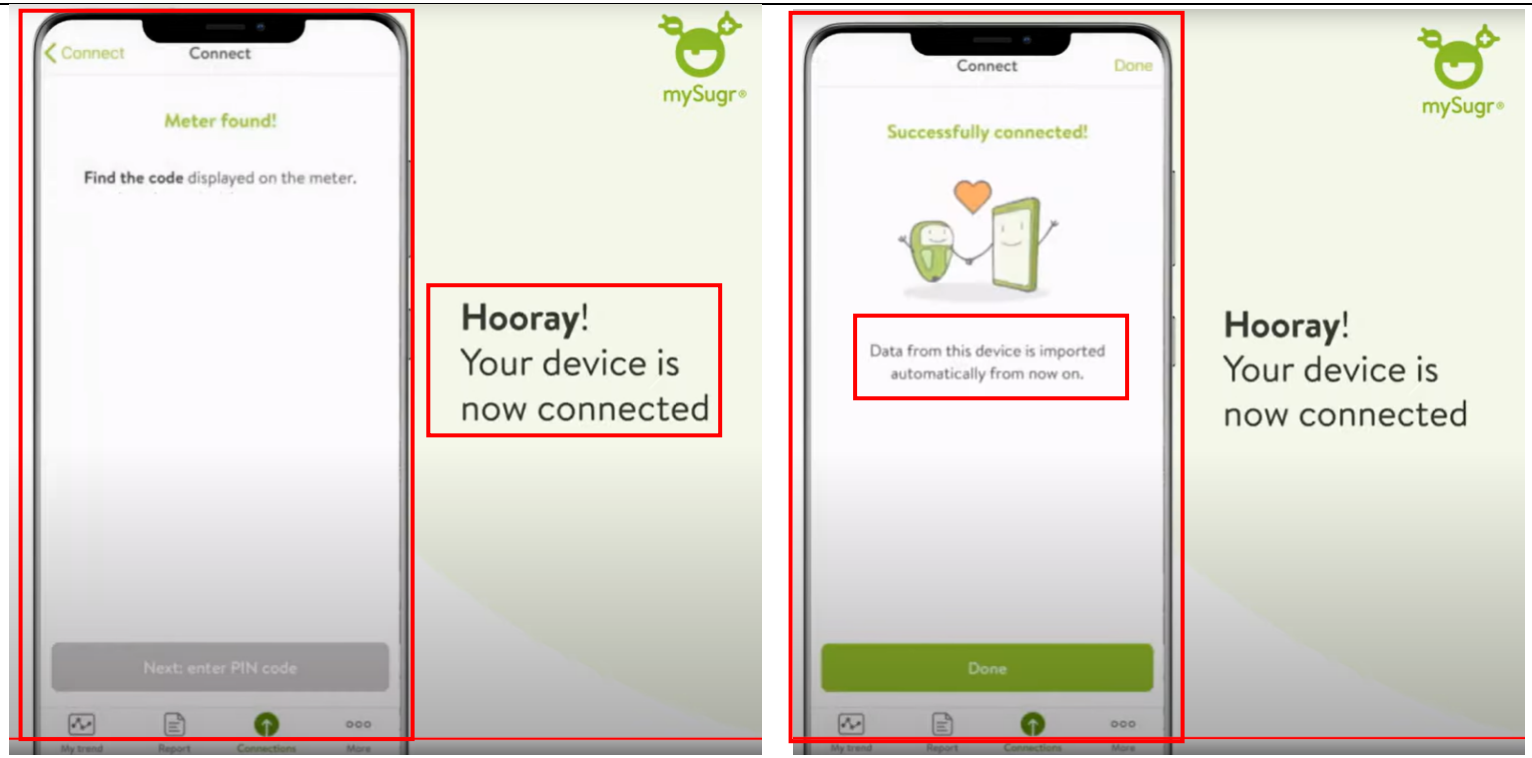


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Source: https://www.mysugr.com/en-us/diabetes-app/

Source: https://www.mysugr.com/en-us/diabetes-app/ (annotated)

Exhibit 4 to the Complaint.

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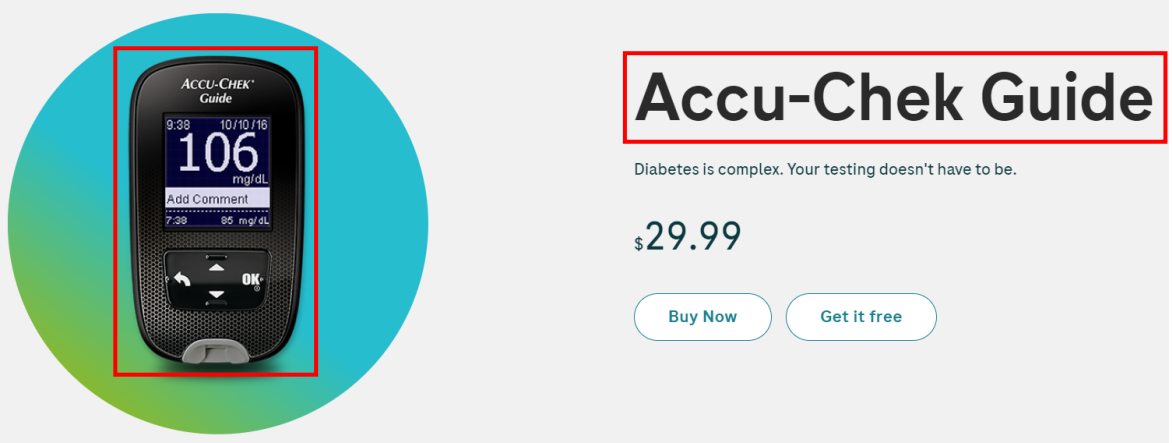
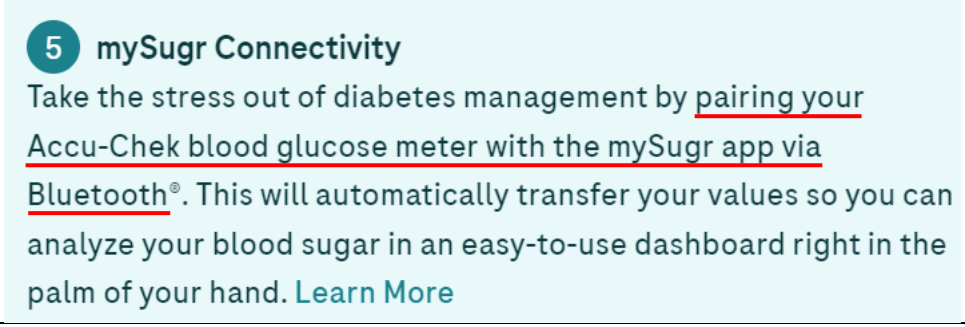
| | Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to the production of such source code by Company. |
| [6] The system of claim 1, wherein the communication link is at least one of a peer-to-peer connection, bluetooth connection, and a WiFi connection. | Company makes, uses, sells and/or offers to sell the communication link is at least one of a peer-to-peer connection, bluetooth connection, and a WiFi connection.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, mySugr app installed in the user's smartphone detects the Accu-Chek Guide meter through Bluetooth and establishes a connection ("communication link").<br><br>  <br>Source: https://www.accu-chek.com/products/meters/guide<br><br>  |

Exhibit 4 to the Complaint.

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| | Source: https://www.accu-chek.com/products/meters/guide<br><br>**Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that<br>1. utilizes Bluetooth low energy technology,<br>2. it is paired with, and<br>3. has an application that can accept the meter data.<br>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70 |

Exhibit 4 to the Complaint.

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|---|---|
| | **How can I transfer Accu-Chek meter data to mySugr?**<br><br>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.<br><br>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:<br><br>1. If you are using an Apple device, make sure Bluetooth® is turned on.<br><br>a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.<br><br>2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)<br>3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.<br>4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.<br>5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.<br>6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<br><br>Source: https://www.accu-chek.com/support/products/guide<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [8] The system of claim 1, further comprising | Company makes, uses, sells and/or offers to sell presenting the at least one digital media file on a display.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the mySugr app installed on the user's smartphone displays the measured blood sugar levels. |

Exhibit 4 to the Complaint.

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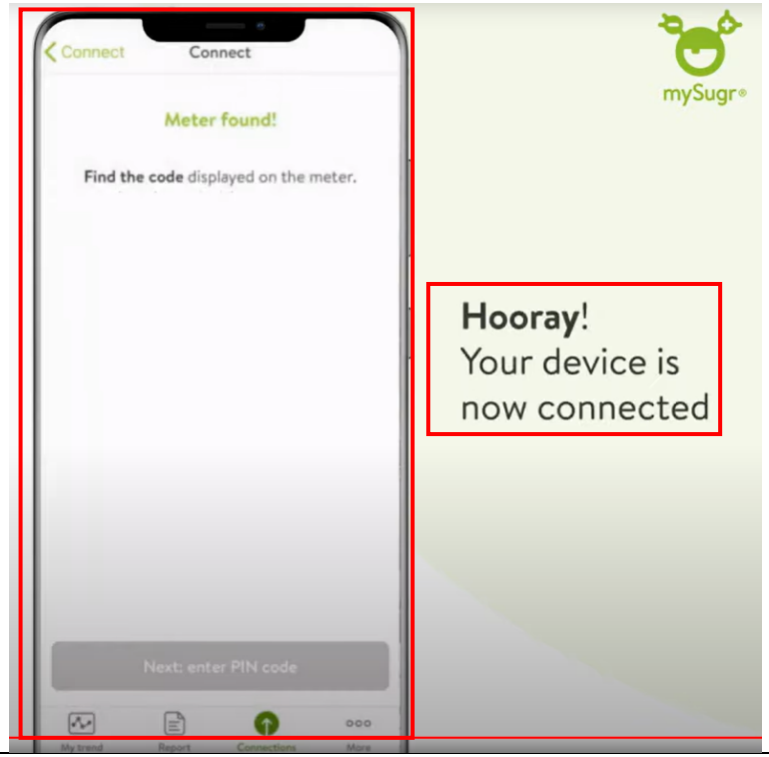
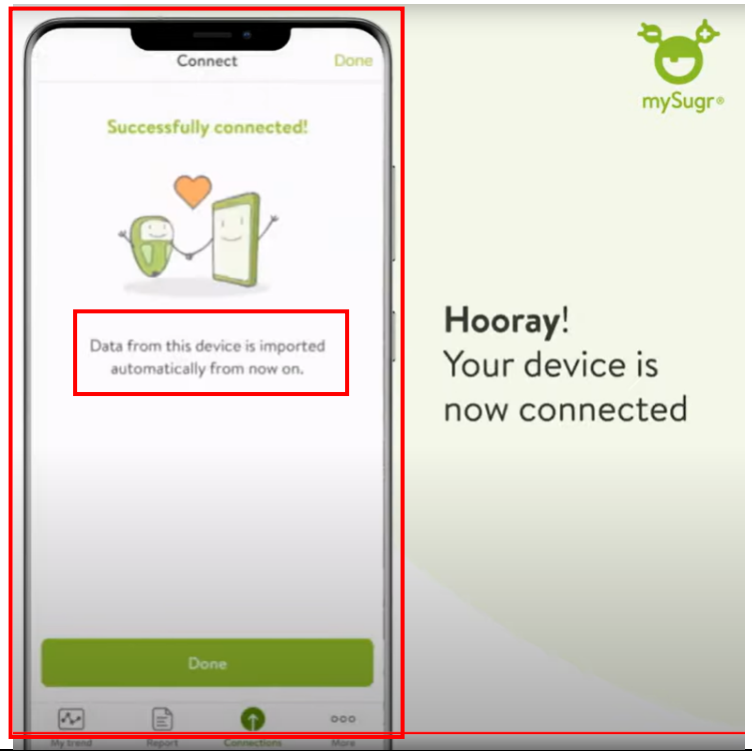
| presenting the at least one digital media file on a display. | **5 mySugr Connectivity**<br>Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More<br>Source: https://www.accu-chek.com/products/meters/guide<br>  <br>  |

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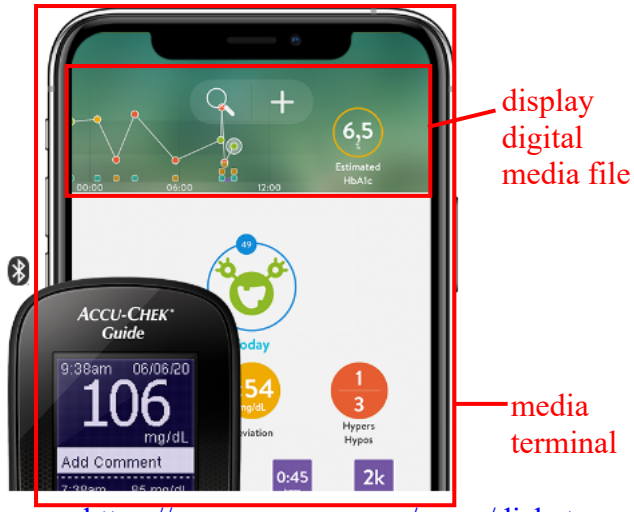


Source: https://www.mysugr.com/en-us/diabetes-app/ (annotated)

Exhibit 4 to the Complaint.

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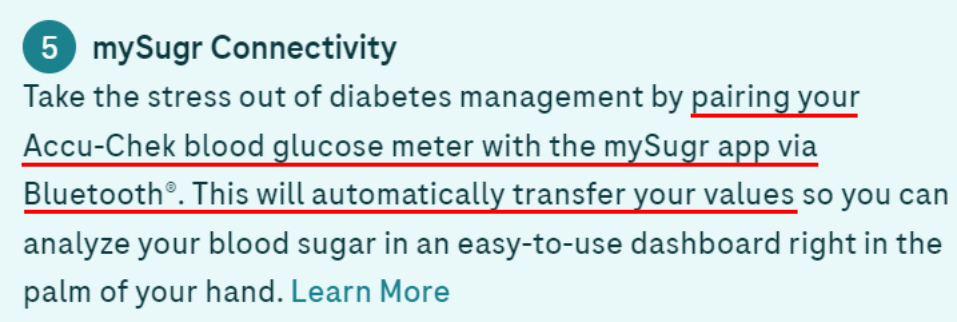
| | Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [9] The system of claim 1, wherein the at least one digital media file is provided by the at least one media node. | Company makes, uses, sells and/or offers to sell at least one digital media file is provided by the at least one media node.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the Accu-Chek Guide ("media node") sends the measured blood sugar levels ("at least one digital media file") to the mySugr app installed on the user's smartphone.<br><br>  <br><br>Source: https://www.accu-chek.com/products/meters/guide |

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| | **How can I transfer Accu-Chek meter data to mySugr?** ^<br><br>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.<br><br>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:<br><br>1. If you are using an Apple device, make sure Bluetooth® is turned on.<br><br>a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.<br><br>2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)<br>3. Open the mySugr app and go to the “Connections” tab in the bar menu located at the bottom of the screen.<br>4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.<br>5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.<br>6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<br><br>Source: https://www.accu-chek.com/support/products/guide |

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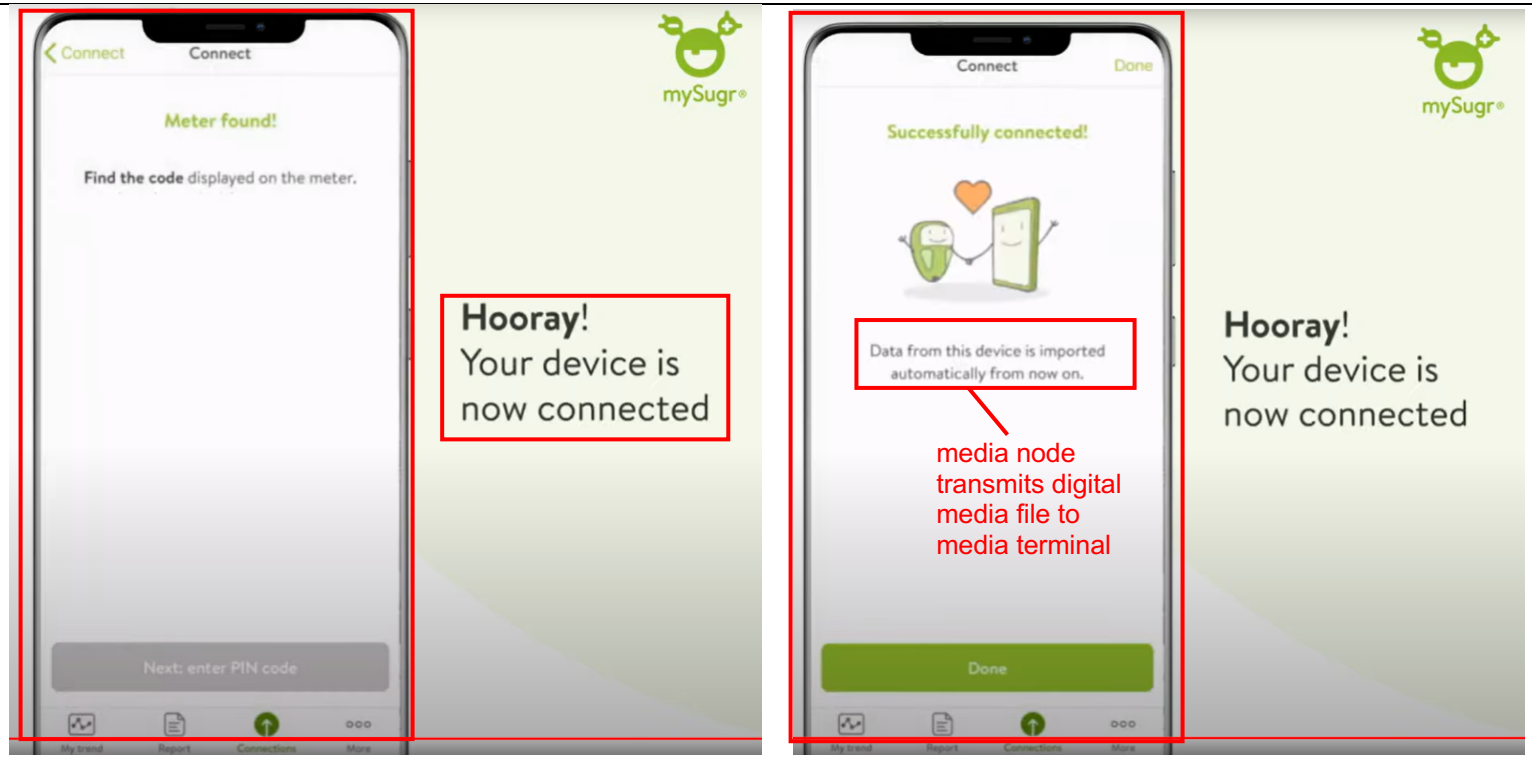


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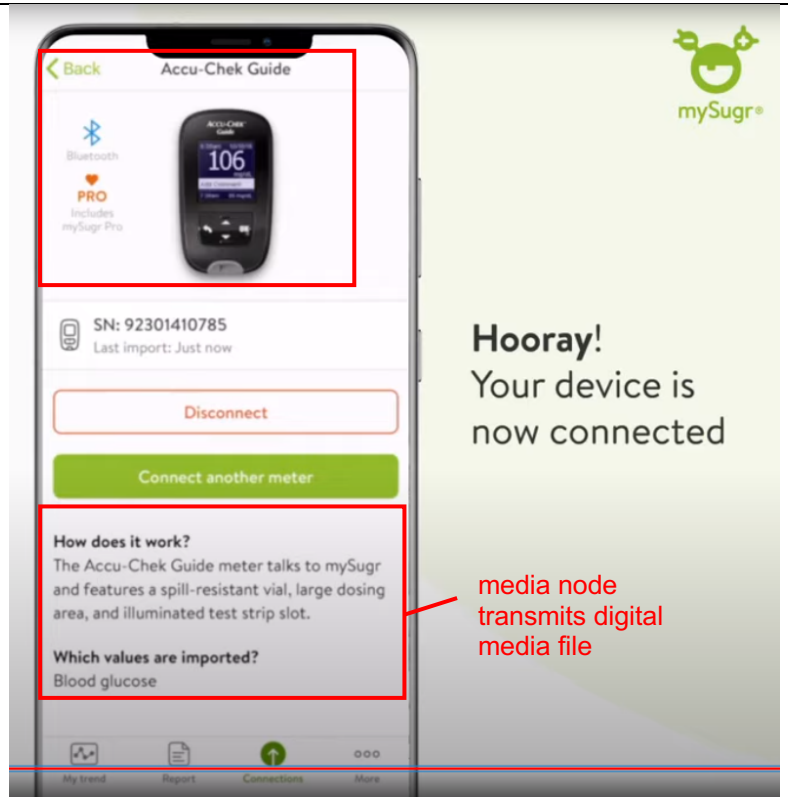
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43 (annotated)<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [12.P] A media system configured to receive a media file from | Roche Diagnostics Corporation ("Company") makes, uses, sells, and/or offers to sell a media system configured to receive a media file from a wireless mobile device over communication network.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents. |

Exhibit 4 to the Complaint.

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|---|---|
| a wireless mobile device over communication network, comprising: | For example, Company provides mySugr app (“media system”) to receive measured blood sugar levels from a Accu-Chek Guide meter (“wireless mobile device”). The mySugr app, installed on the user's smartphone, receive the measured blood sugar levels from the Accu-Chek Guide, using a Bluetooth network.<br><br>Easy Connection With Blood Sugar Meters<br><br>Automatically transfer your values to the mySugr app via Bluetooth and analyze them with one click to identify your patterns more quickly.<br><br>Source: https://www.mysugr.com/en-us/ |

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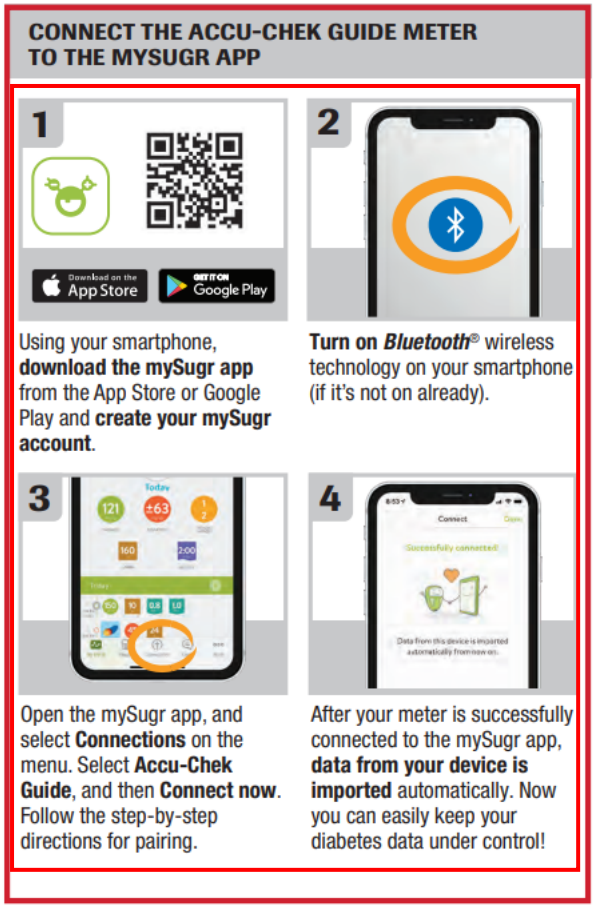


Source: https://www.accu-chek.com/document/accu-chek-guide-quick-start-guide-2/download, Page 1 of 2

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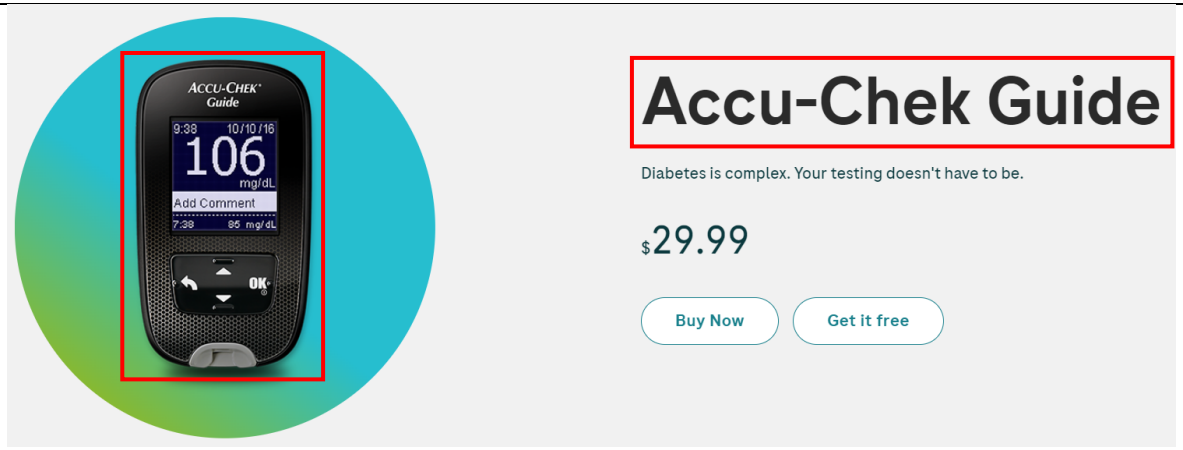
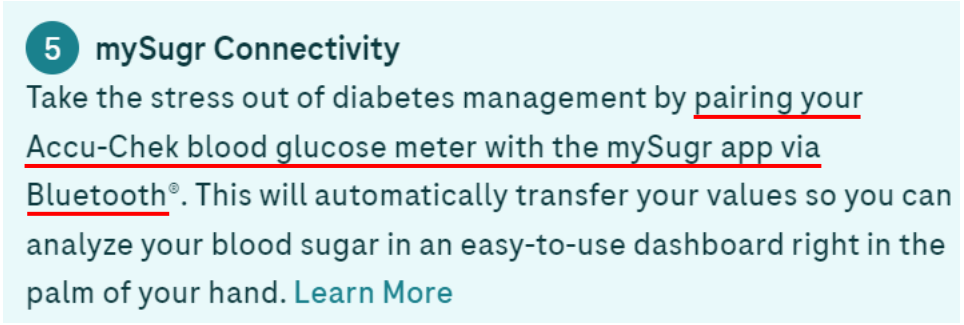



Source: https://www.accu-chek.com/products/meters/guide

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| | **Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that<br>1. utilizes Bluetooth low energy technology,<br>2. it is paired with, and<br>3. has an application that can accept the meter data.<br>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70 |

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| | **How can I transfer Accu-Chek meter data to mySugr?** ^<br><br>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.<br><br>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:<br><br>1. If you are using an Apple device, make sure Bluetooth® is turned on.<br><br>a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.<br><br>2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)<br>3. Open the mySugr app and go to the “Connections” tab in the bar menu located at the bottom of the screen.<br>4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.<br>5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.<br>6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<br>Source: https://www.accu-chek.com/support/products/guide |

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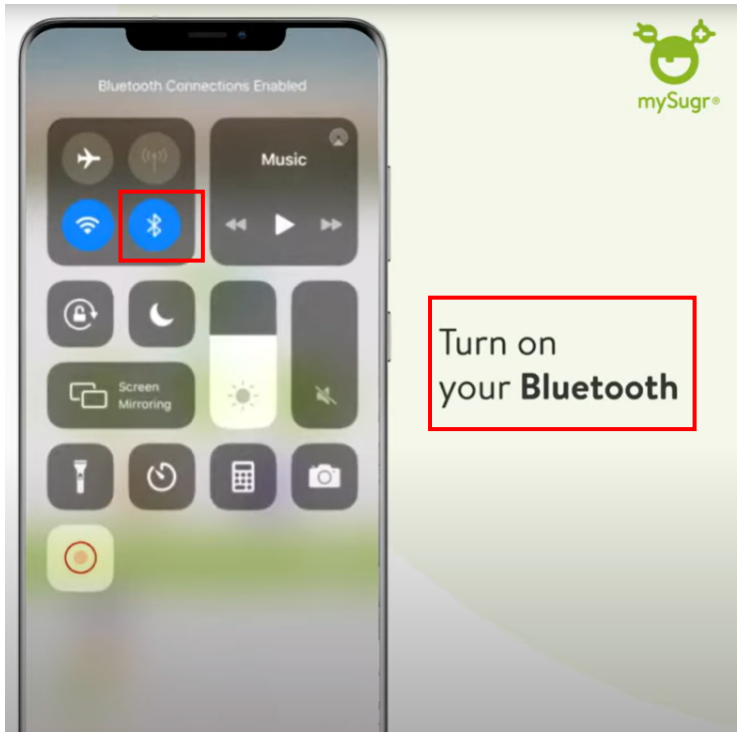


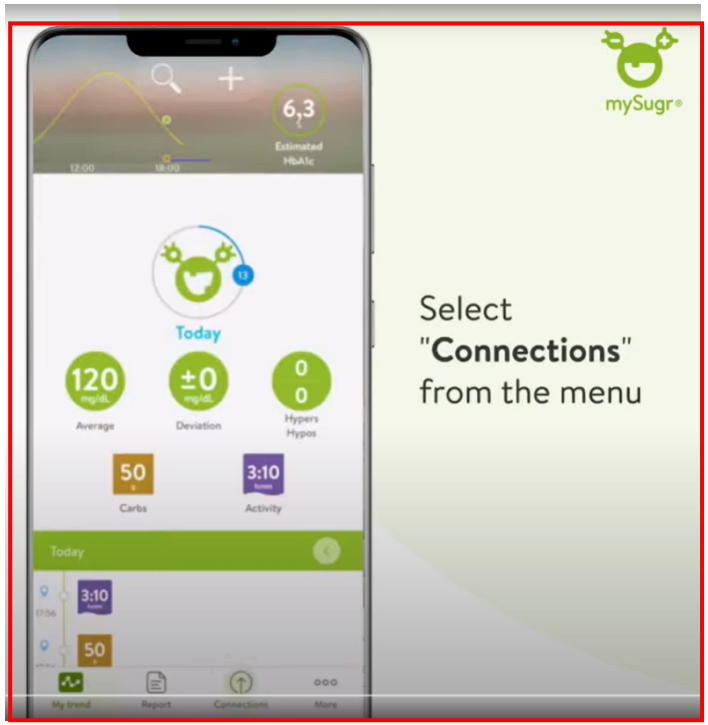


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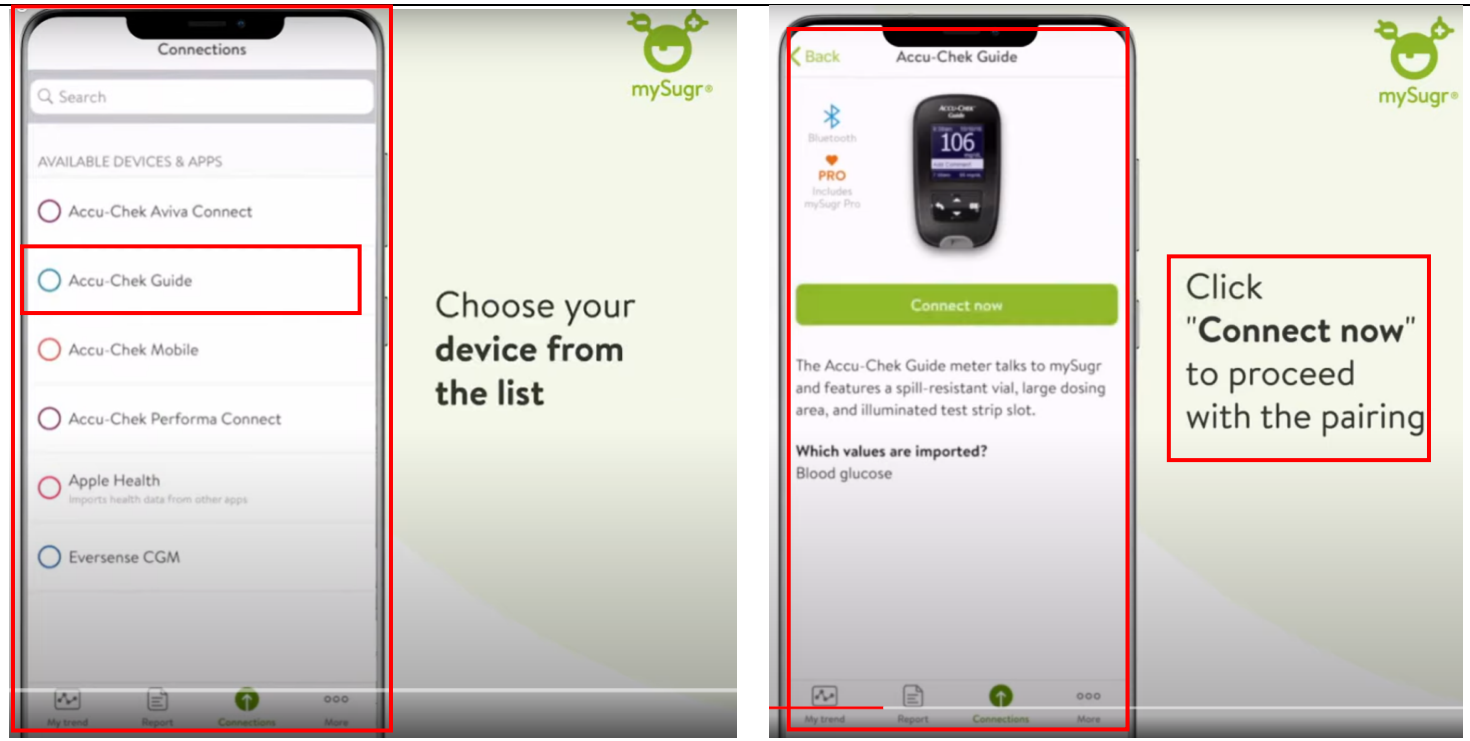


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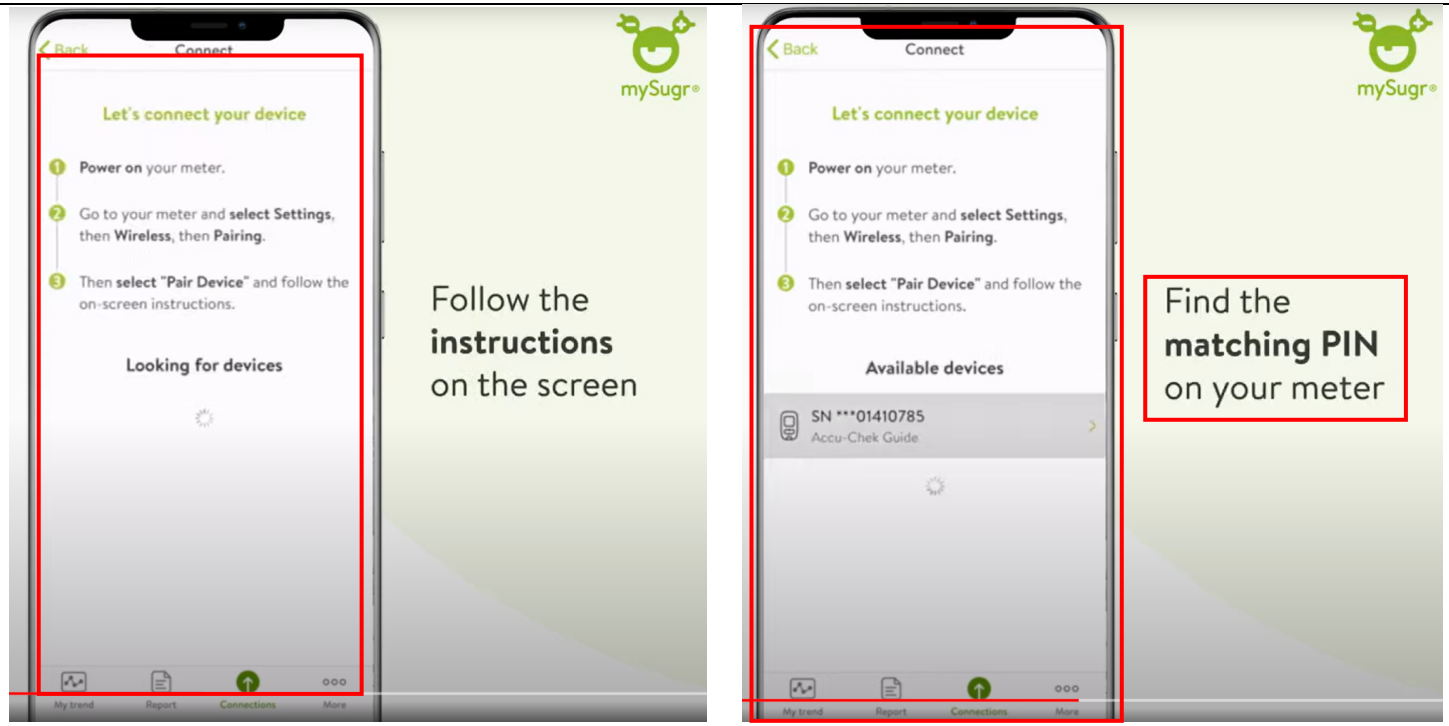


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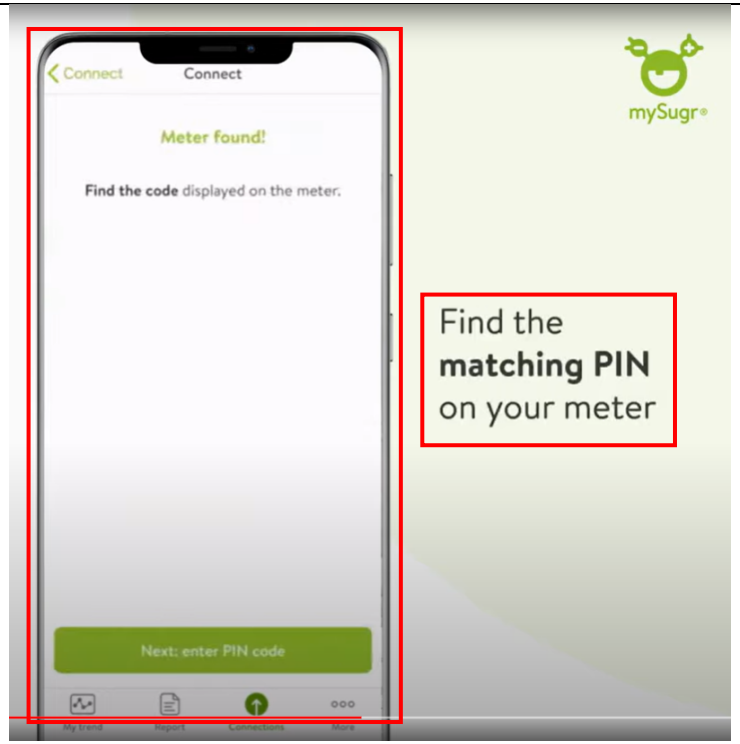


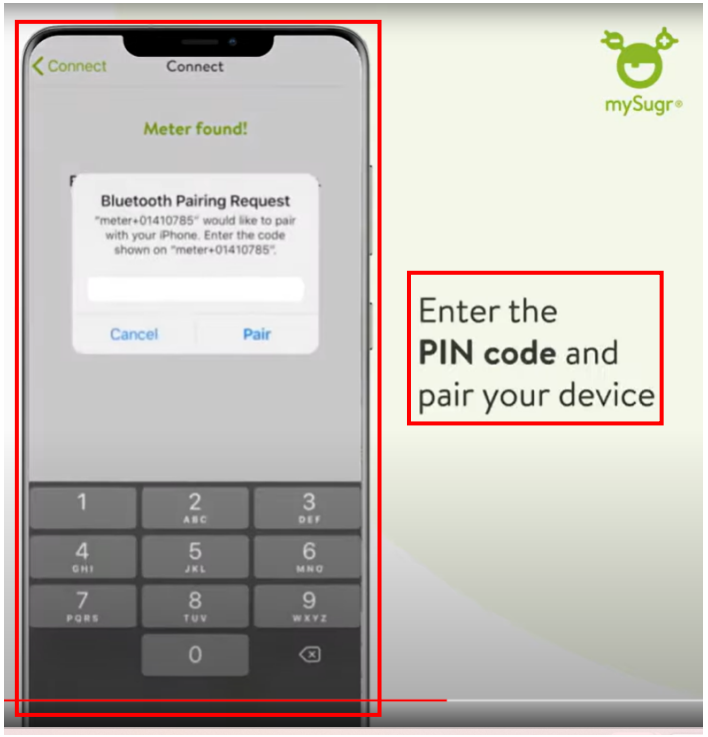


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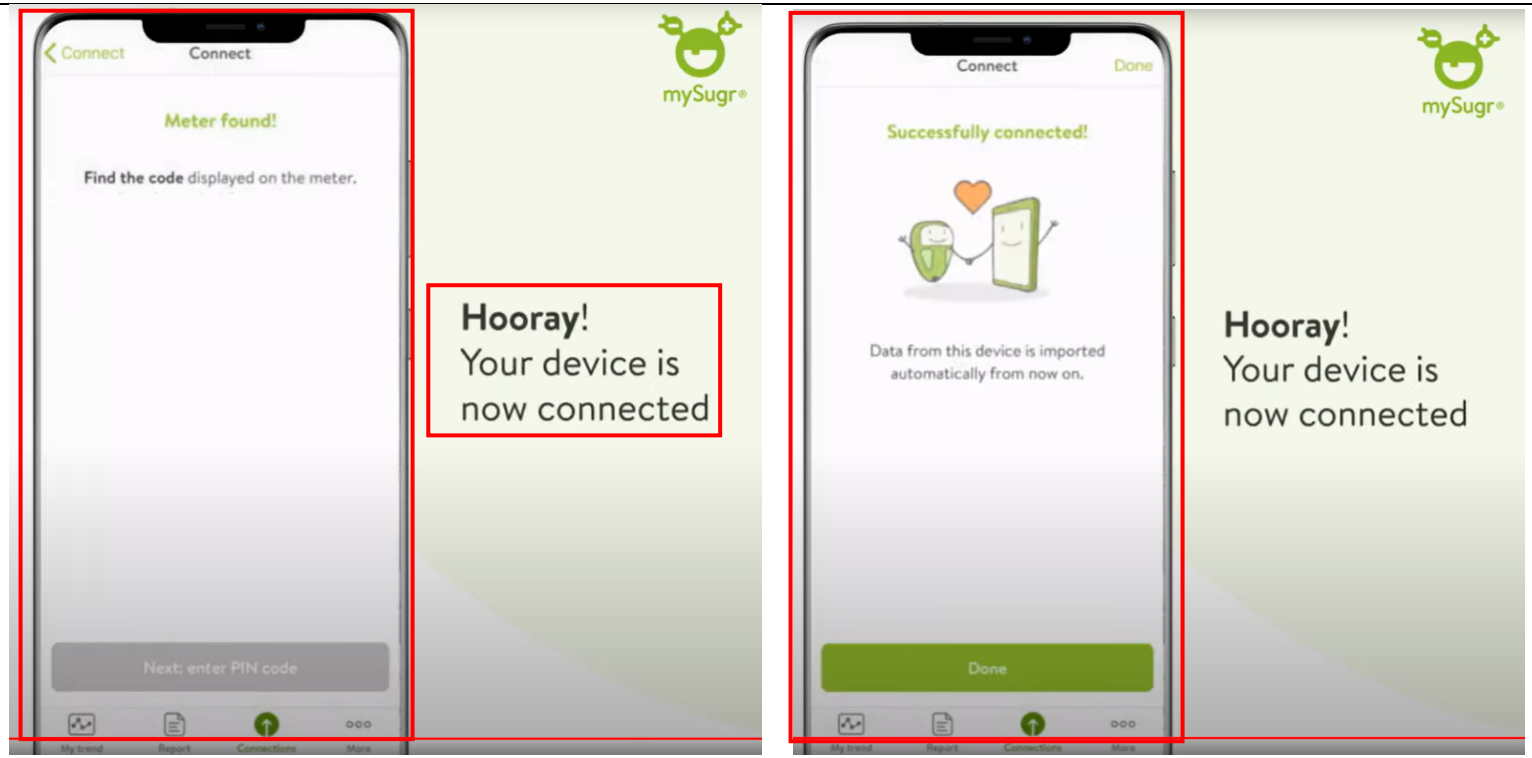


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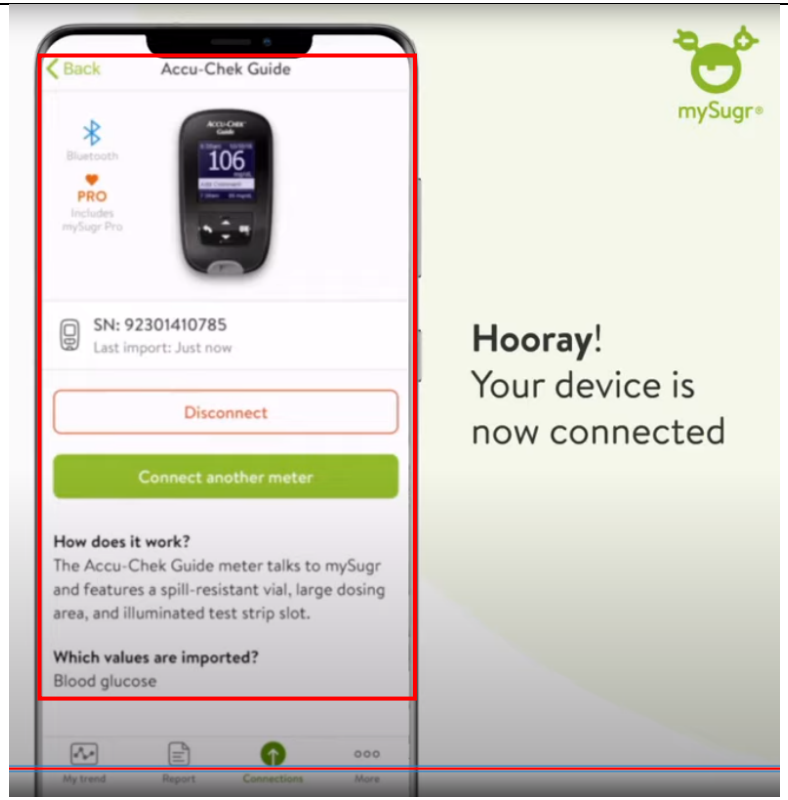
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [12.1] a wireless receiver; | Company makes, uses, sells and/or offers to sell a wireless receiver.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the mySugr app, installed on the user's smartphone, includes a Bluetooth receiver ("wireless receiver") for receiving data from the Accu-Chek Guide. |

Exhibit 4 to the Complaint.

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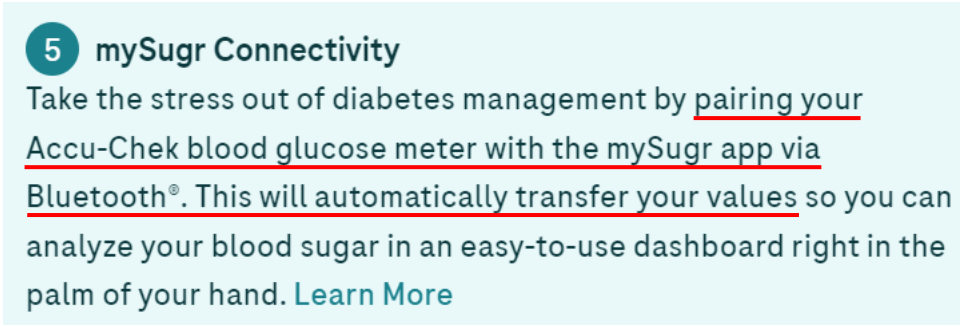
| |  <br>Source: https://www.accu-chek.com/products/meters/guide |

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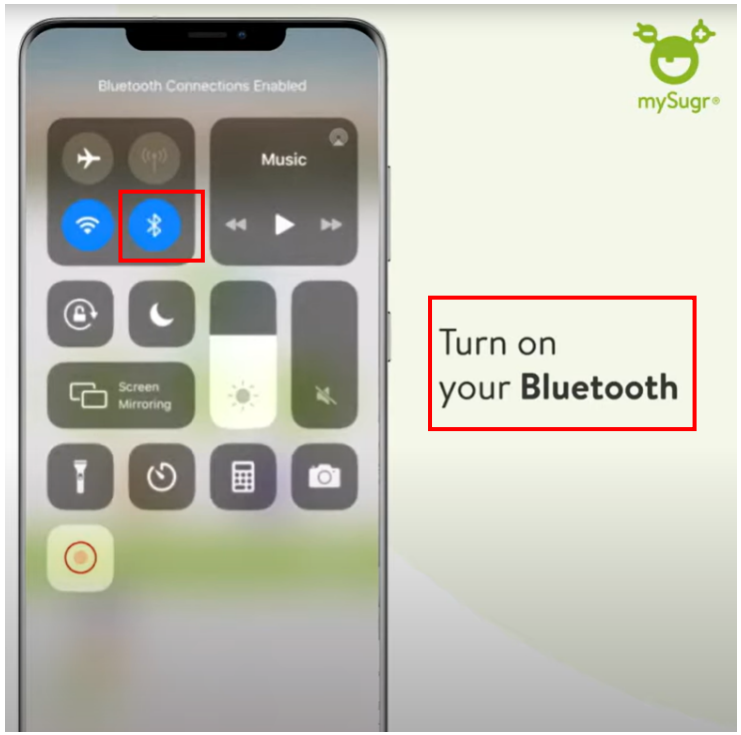
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:07<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [12.2] a security measure; and | Company makes, uses, sells and/or offers to sell a security measure.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the mySugr app, installed on the user's smartphone, initially require users to input a PIN ("security measure") which is necessary during the initial pairing process with the Accu-Chek Guide. |

Exhibit 4 to the Complaint.

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|---|---|
| | **5 mySugr Connectivity**<br>Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More<br>Source: https://www.accu-chek.com/products/meters/guide<br><br>**Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that<br>1. utilizes Bluetooth low energy technology,<br>2. it is paired with, and<br>3. has an application that can accept the meter data.<br>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70 |

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2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)
3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.
4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.
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Source: https://www.accu-chek.com/support/products/guide

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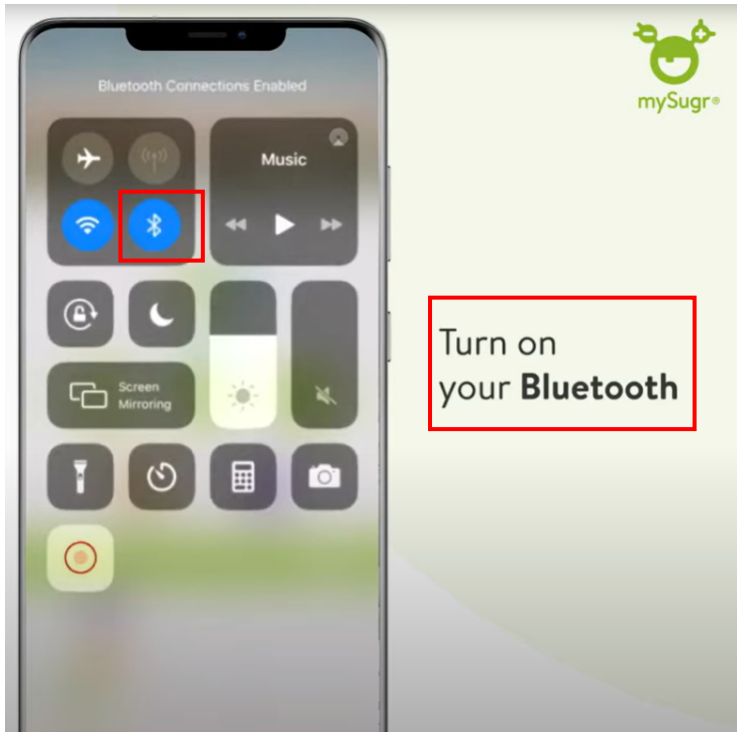


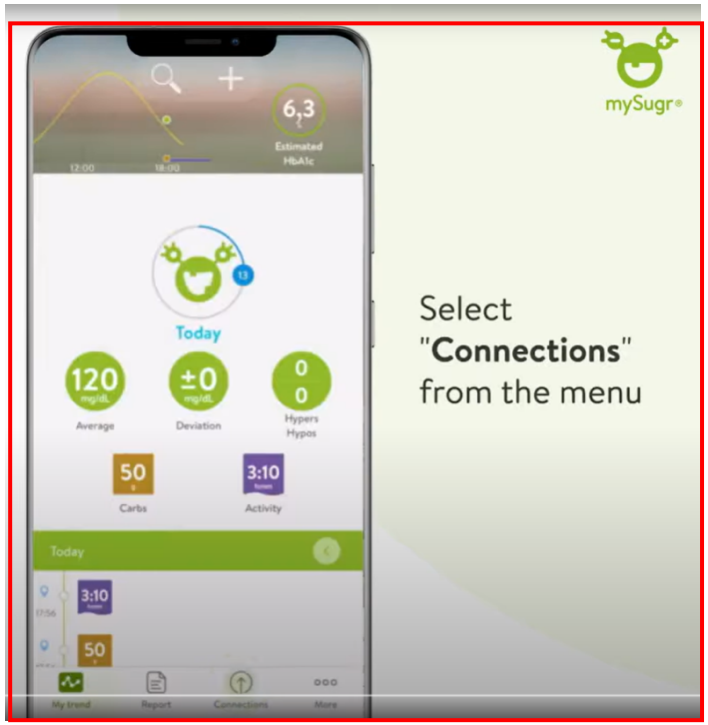


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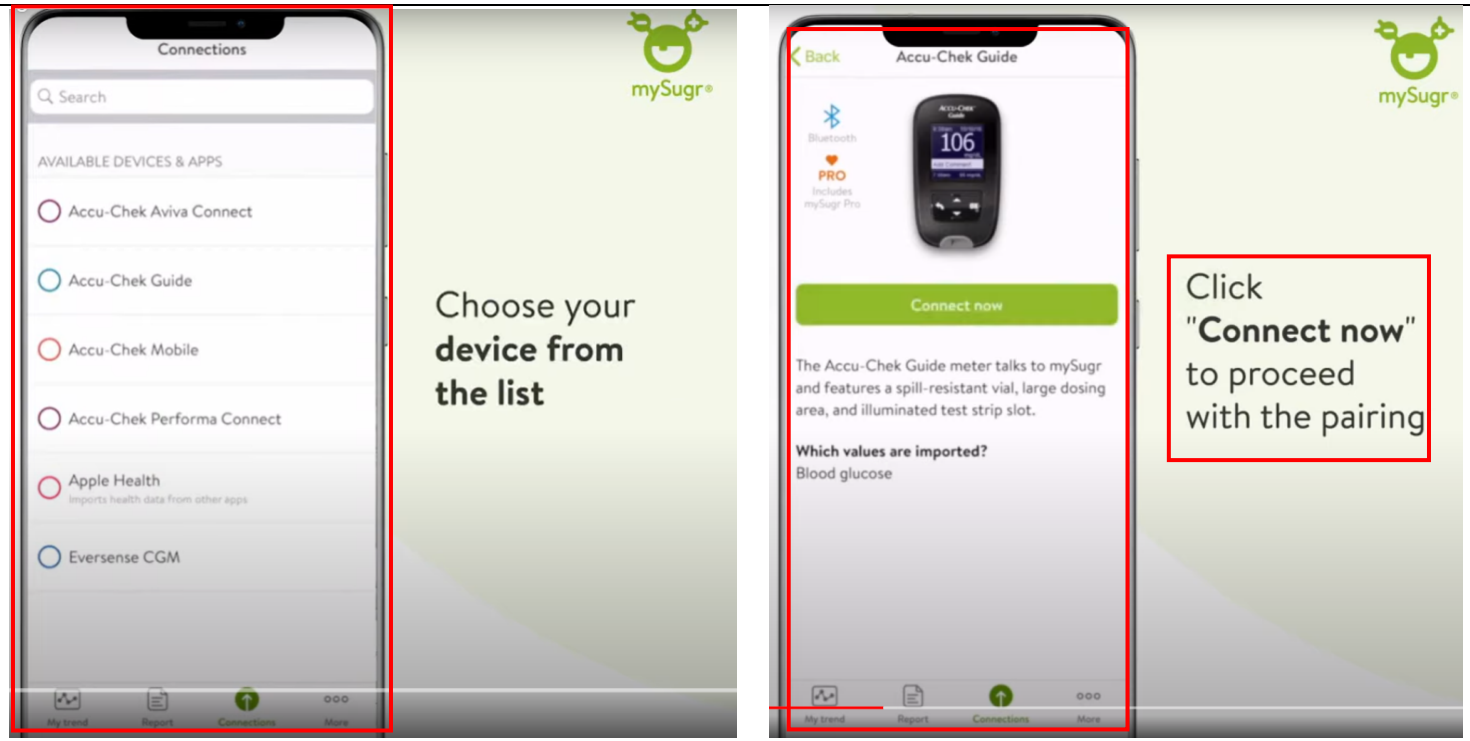


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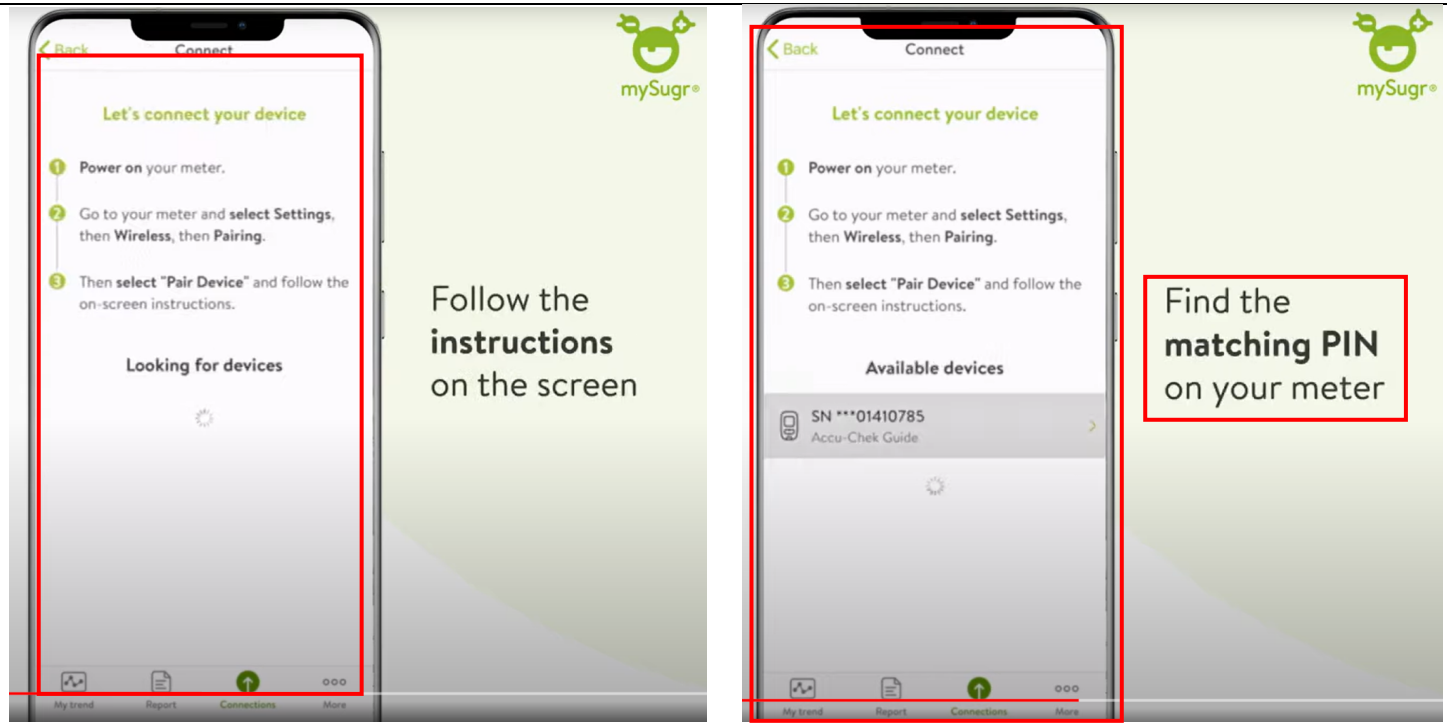


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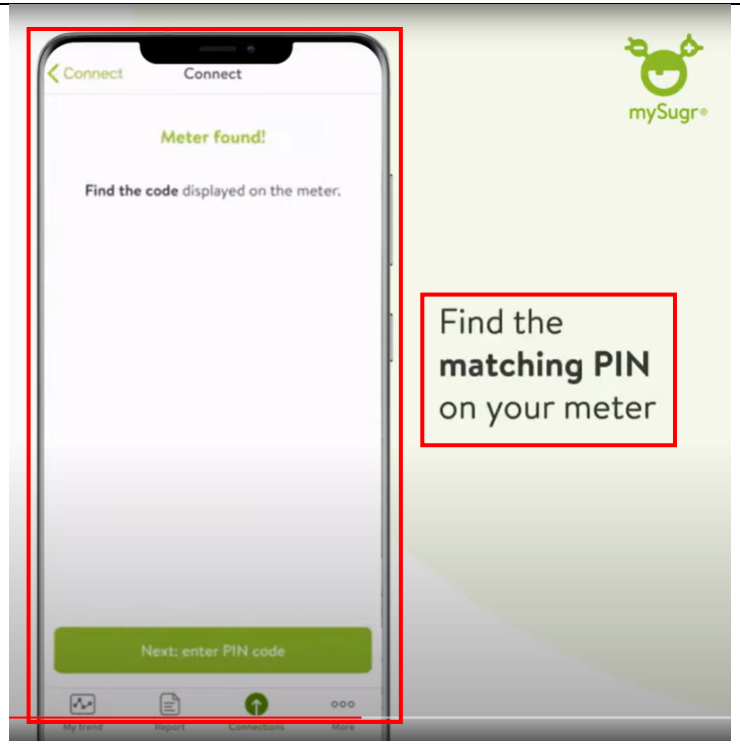
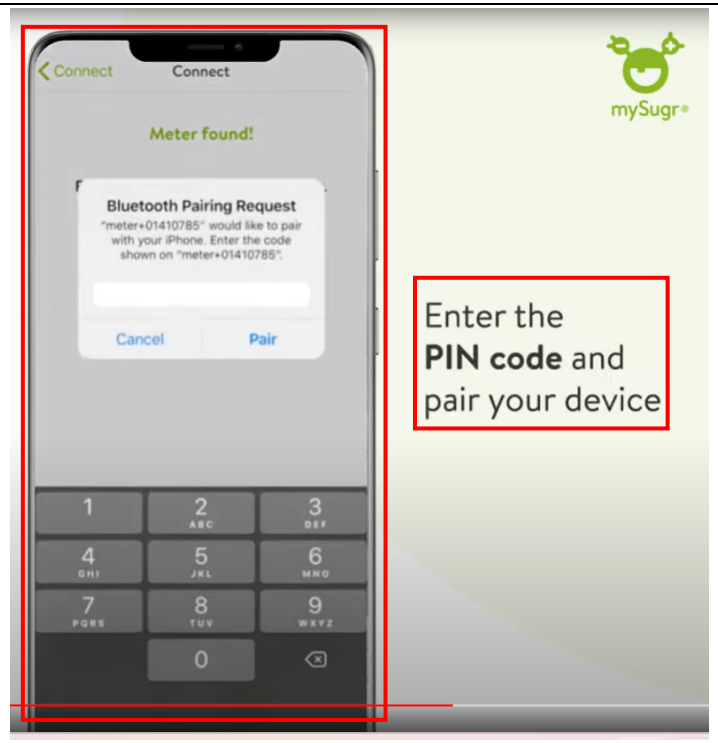
| |  <br>  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:26, 0:29<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [12.3] the media system disposed in an accessible relation to at least one interactive computer | Company makes, uses, sells and/or offers to sell the media system disposed in an accessible relation to at least one interactive computer network that has a wireless range structured to permit authorized access to said at least one interactive computer network,<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the mySugr app, installed on the user's smartphone ("media system") receives the blood sugar levels from the Accu-Chek Guide using Bluetooth network ("interactive computer network"). Since, the smartphone communicates |

Exhibit 4 to the Complaint.

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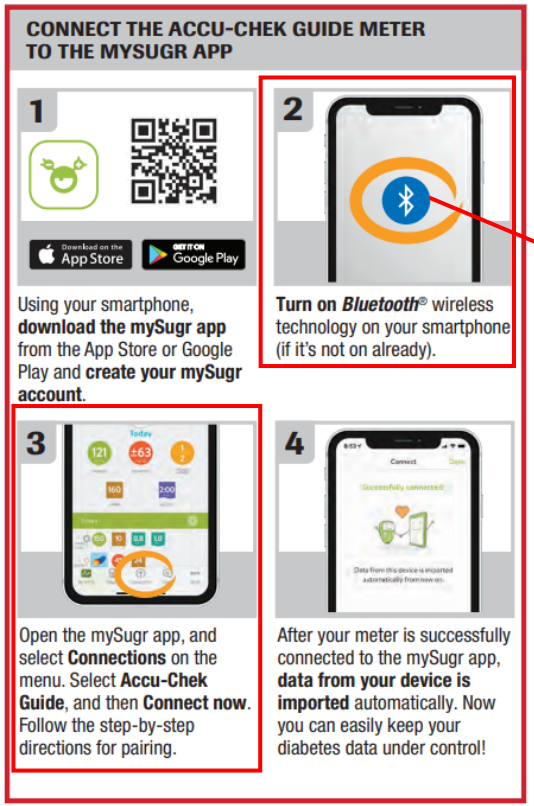
| network that has a wire less range structured to permit authorized access to said at least one interactive computer network, | and receives data from the Accu-Chek Guide using Bluetooth, it is apparent for a person having ordinary skills in the art that, the media system disposed in an accessible relation to at least one interactive computer network that has a wireless range structured to permit authorized access to at least one interactive computer network.<br><br>  <br><br>Source: https://www.accu-chek.com/document/accu-chek-guide-quick-start-guide-2/download, Page 1 of 2 (annotated) |

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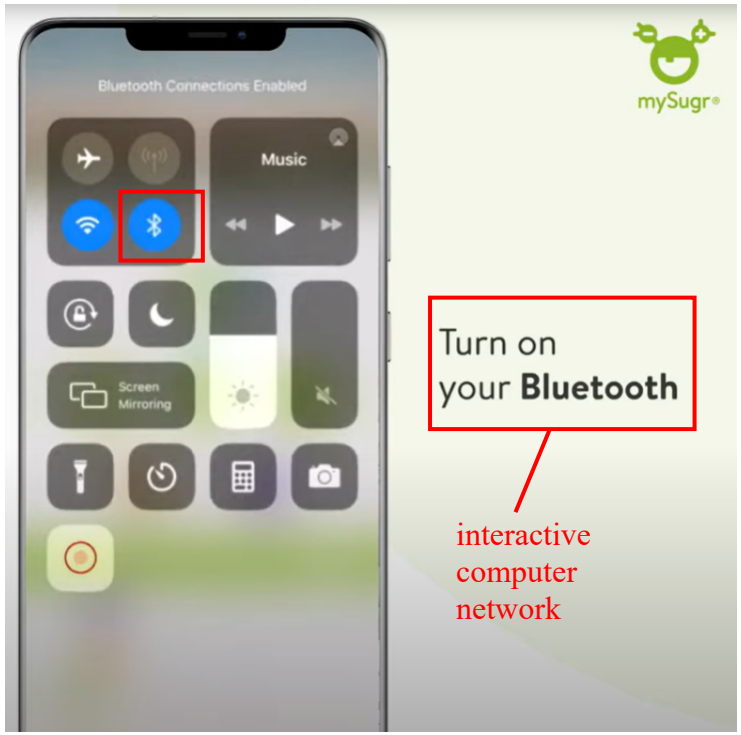


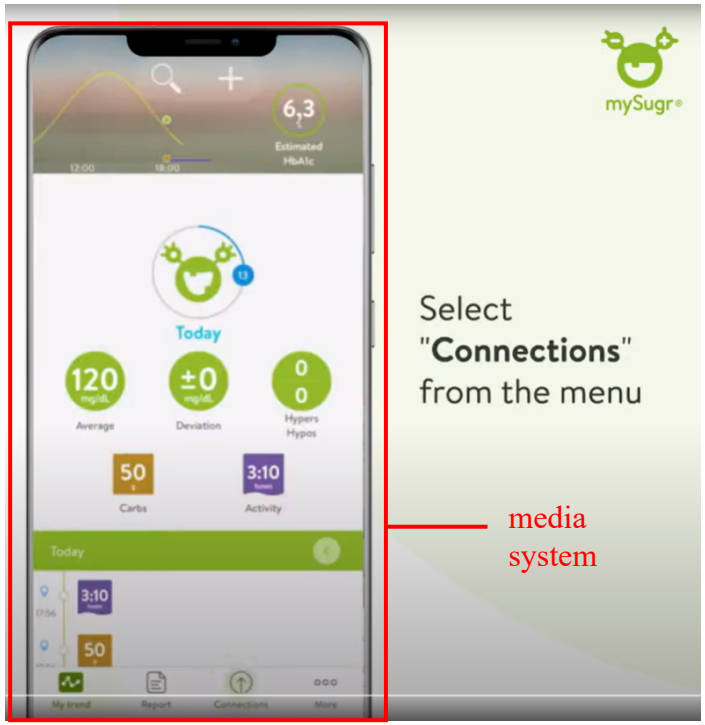


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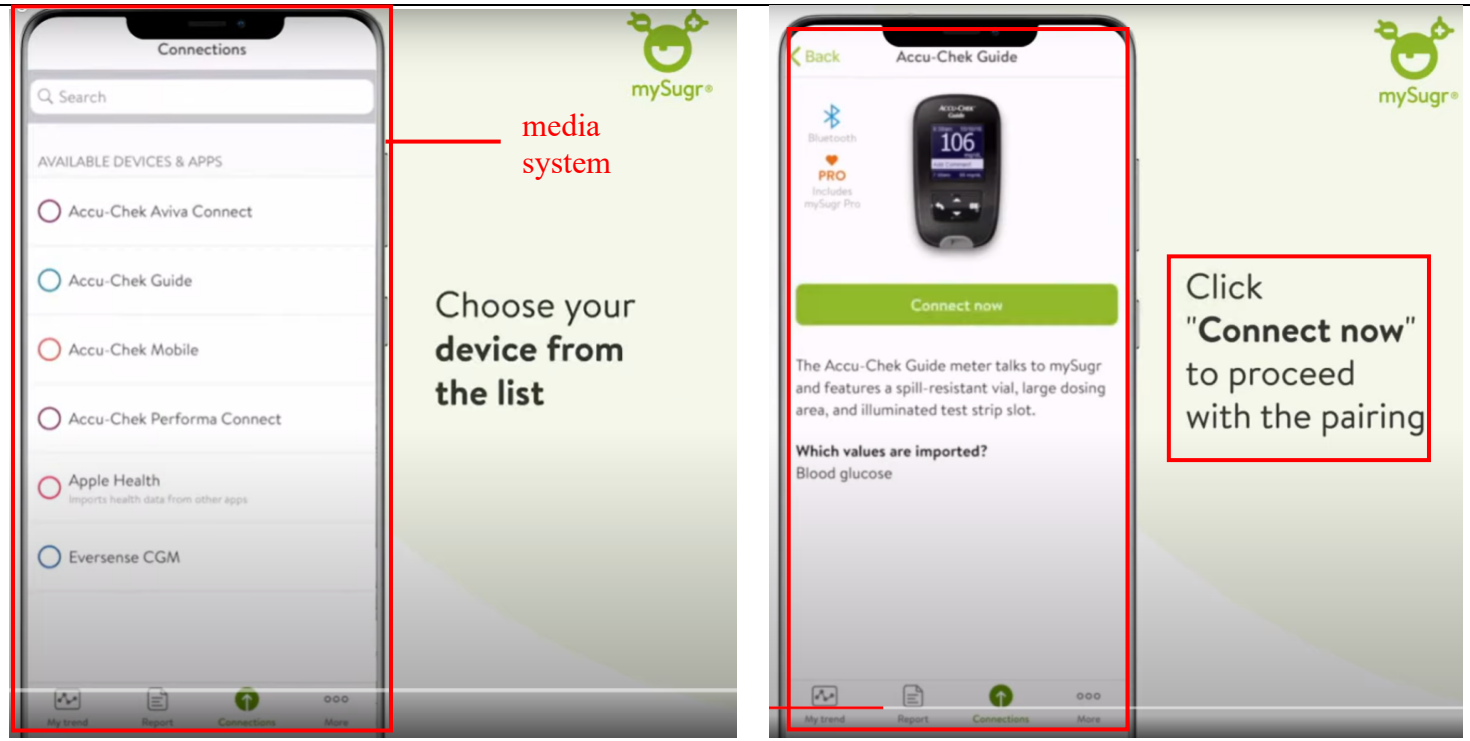


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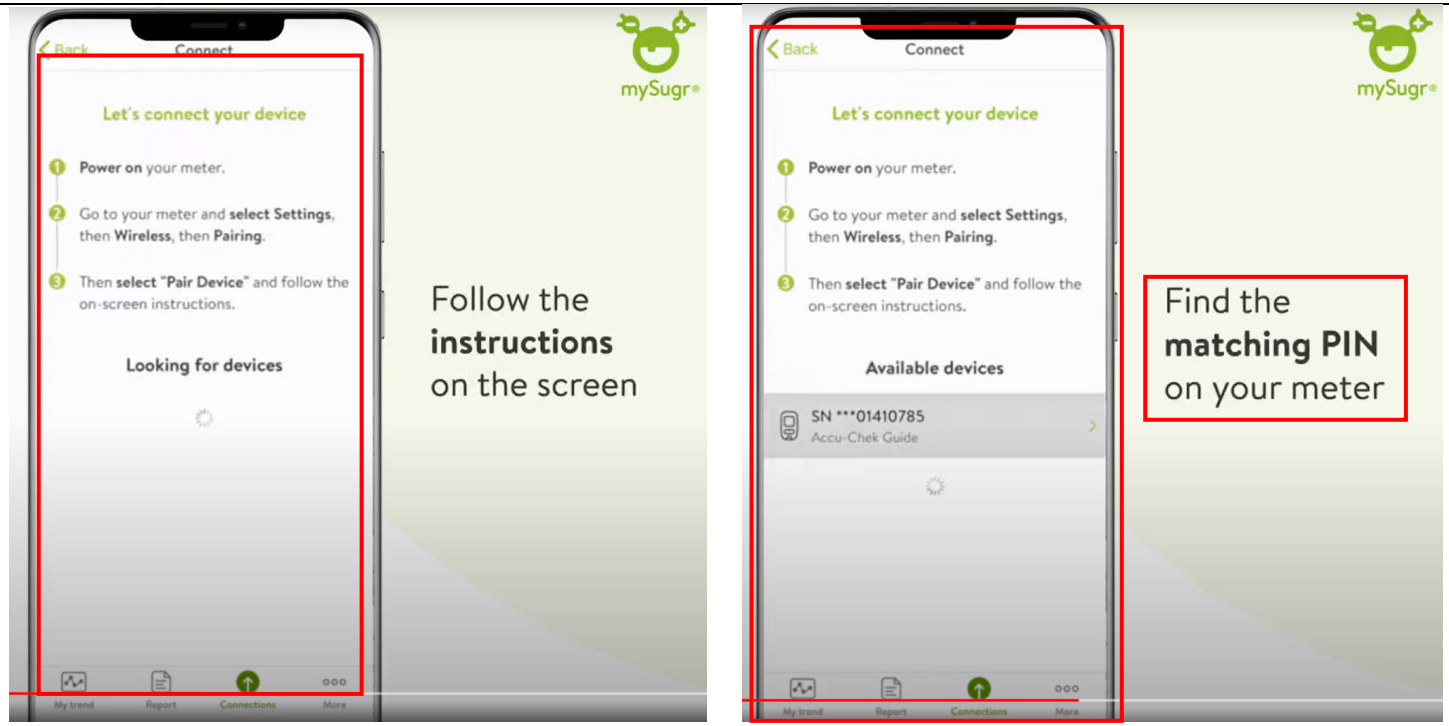


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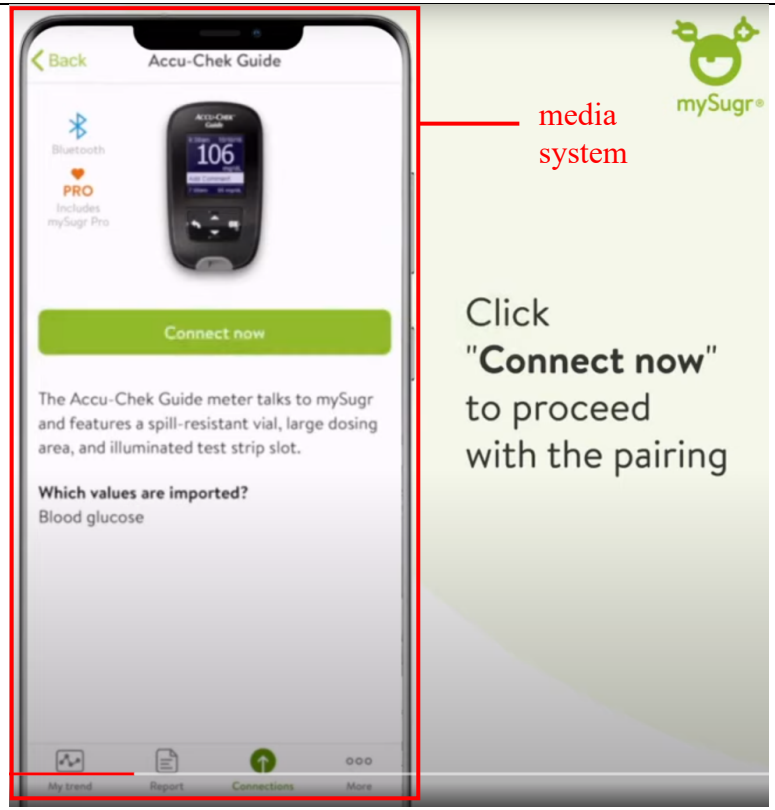


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Source: https://www.accu-chek.com/support/products/guide

Exhibit 4 to the Complaint.

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| | Other<br>• receive data from Internet<br>• view network connections<br>• pair with Bluetooth devices<br>• access Bluetooth settings<br>• full network access<br>• run at startup<br>• control vibration<br>• prevent device from sleeping<br>Source: https://play.google.com/store/apps/details?id=com.mysugr.android.companion<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [12.4] the wireless mobile device within said wireless range, wherein said wireless mobile device is detectable by said media system, | Company makes, uses, sells and/or offers to sell the wireless mobile device within said wireless range, wherein said wireless mobile device is detectable by said media system,<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the Accu-Chek Guide ("wireless mobile device") and the smartphone ("media system"), on which the mySugr app is installed, are paired with each other using the Bluetooth network ("interactive computer network"). This network facilitates the pairing of the smartphone and the Accu-Chek Guide when they are within Bluetooth range of each other. The mySugr app detects the list of Accu-Chek Guides which are in the Bluetooth range ("wireless mobile device is detectable by said media system"). |

Exhibit 4 to the Complaint.

**1 Personalized logging screen**

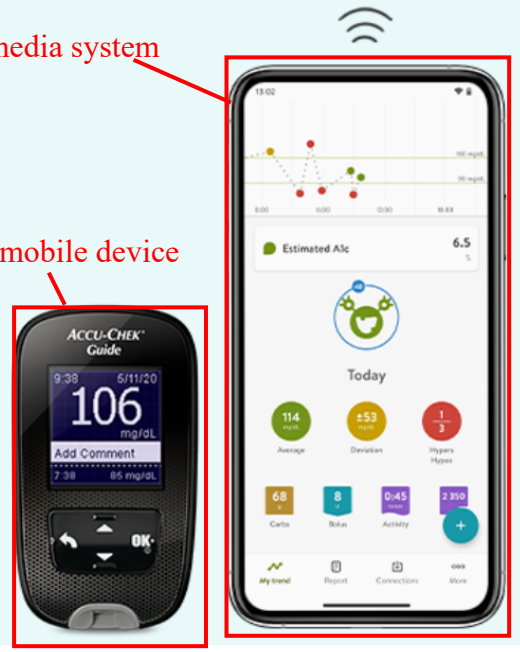
Organize the app the way it suits you better. Remove or add fields depending on your therapy needs.

**2 mySugr Analytics**

The analytics dashboard in the mySugr app provides you with an overview of your recorded blood sugars to help you identify patterns, allowing you to identify areas where your management could be optimized.

**3 Data Reports & Sharing**

mySugr Reports compile your data for easy printing or digital sharing. You can access and download your data anytime, anywhere and feel free to share your reports with your family, caregivers, and healthcare team for accountability and support.




Source: https://www.accu-chek.com/products/mysugr (annotated)

**5 mySugr Connectivity**

Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More

Source: https://www.accu-chek.com/products/meters/guide

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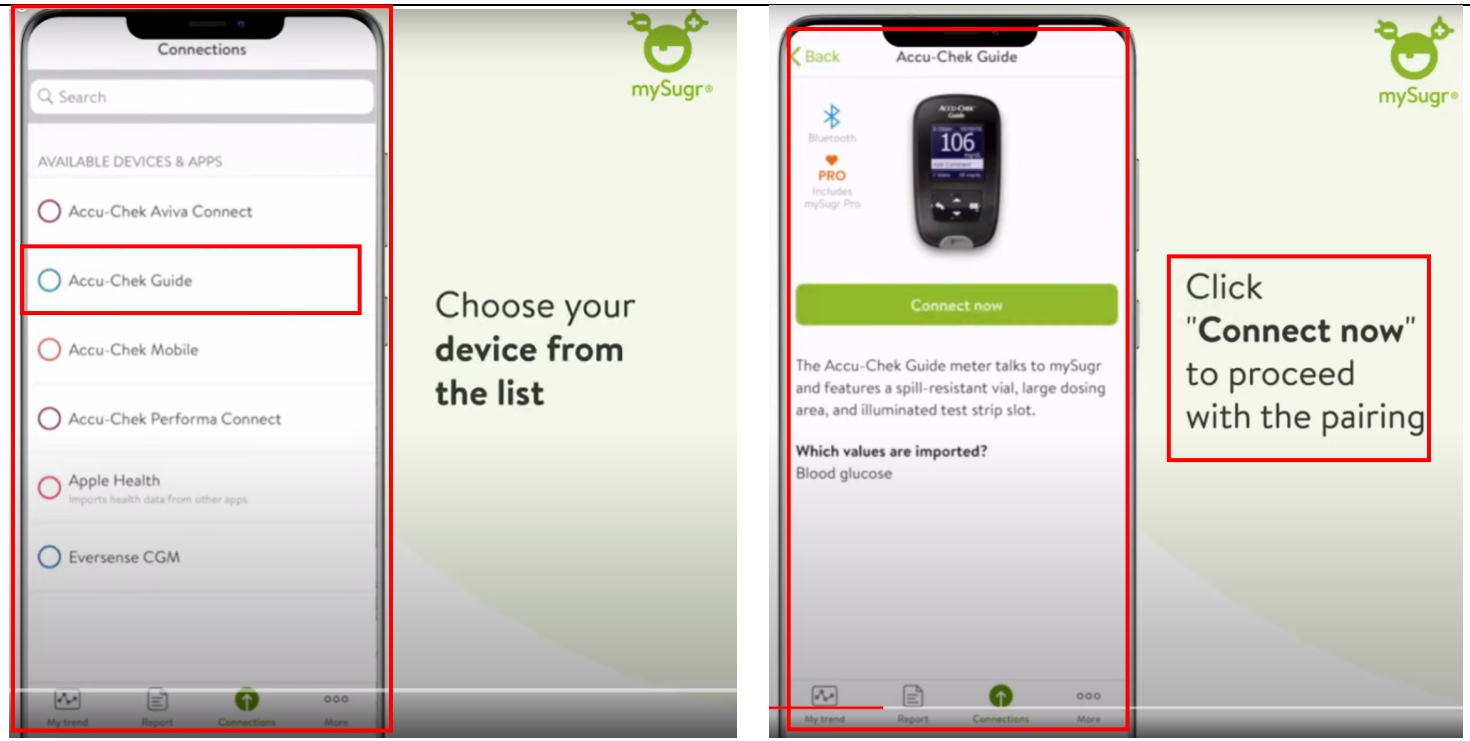


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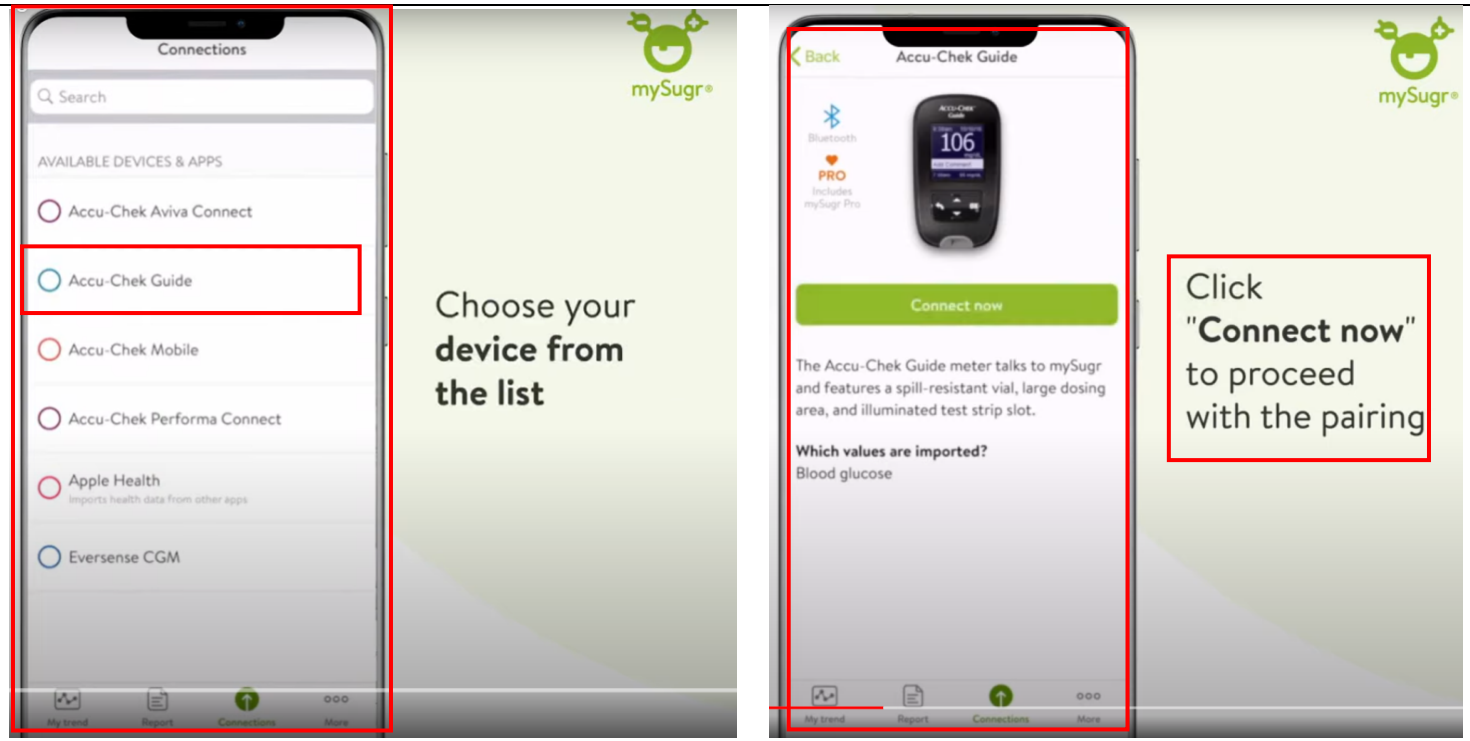


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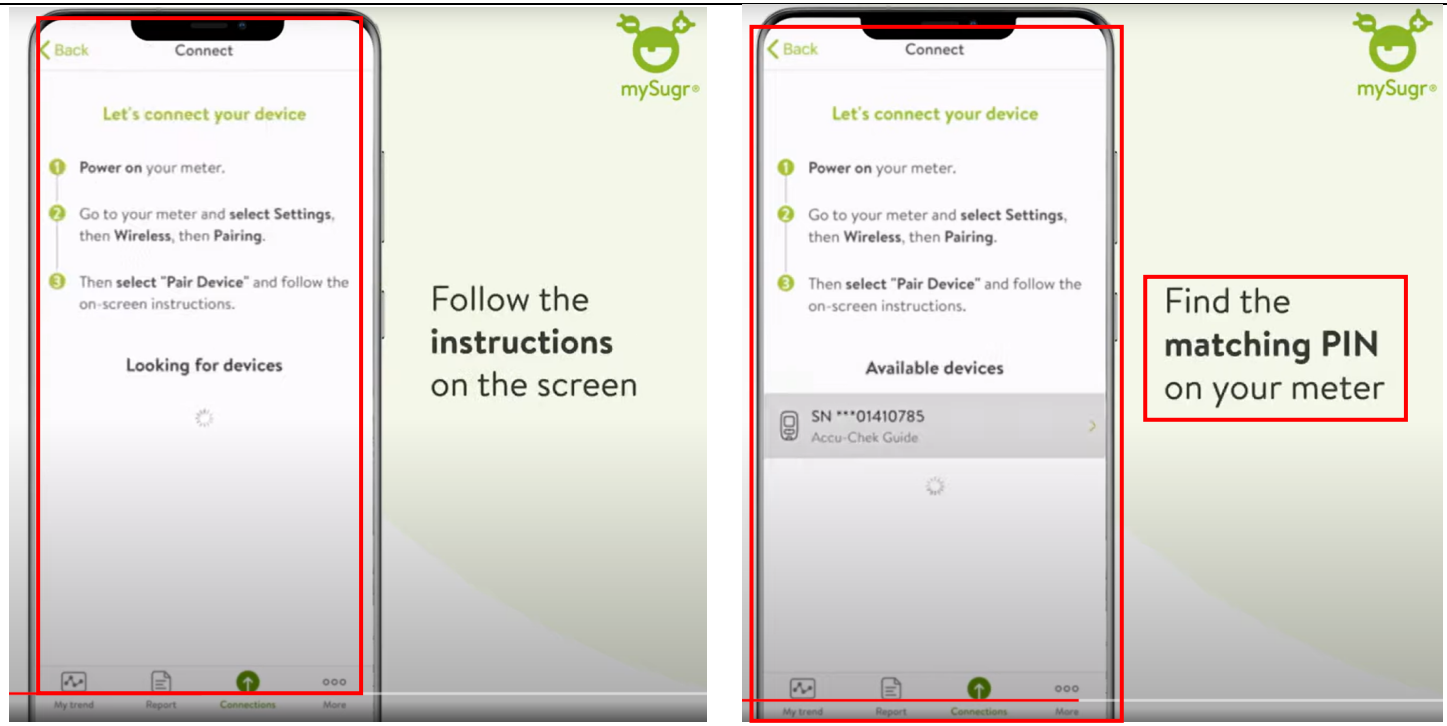


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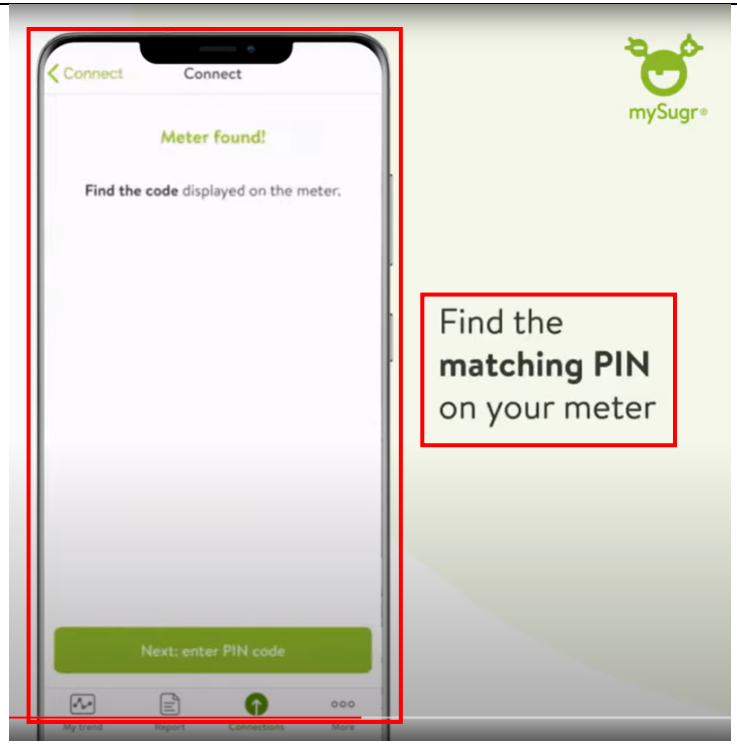


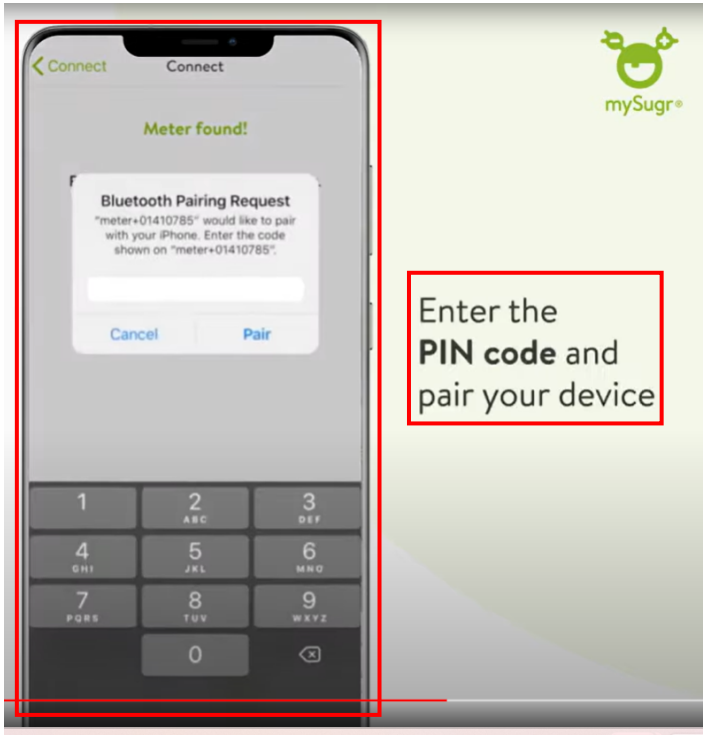


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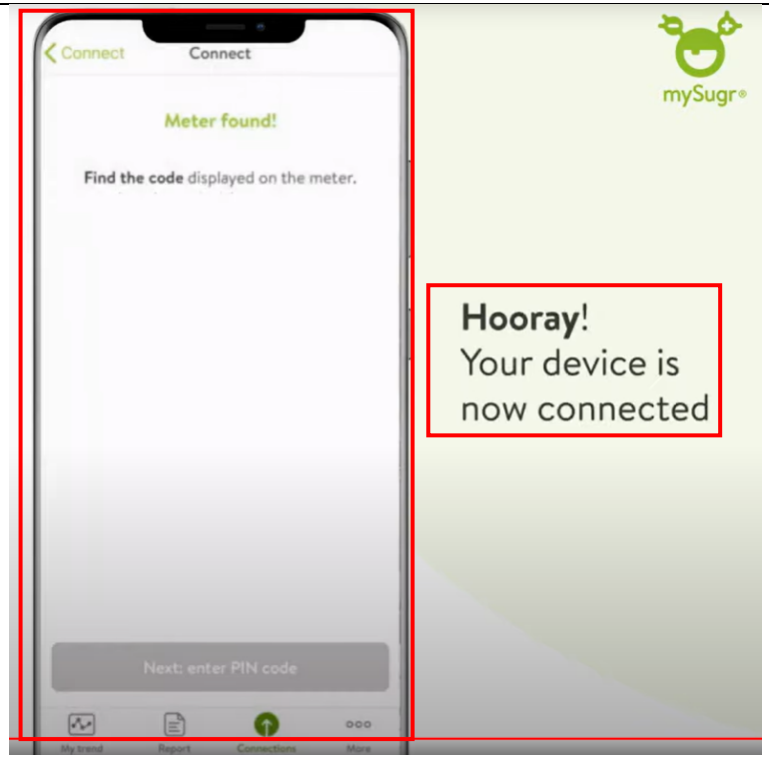


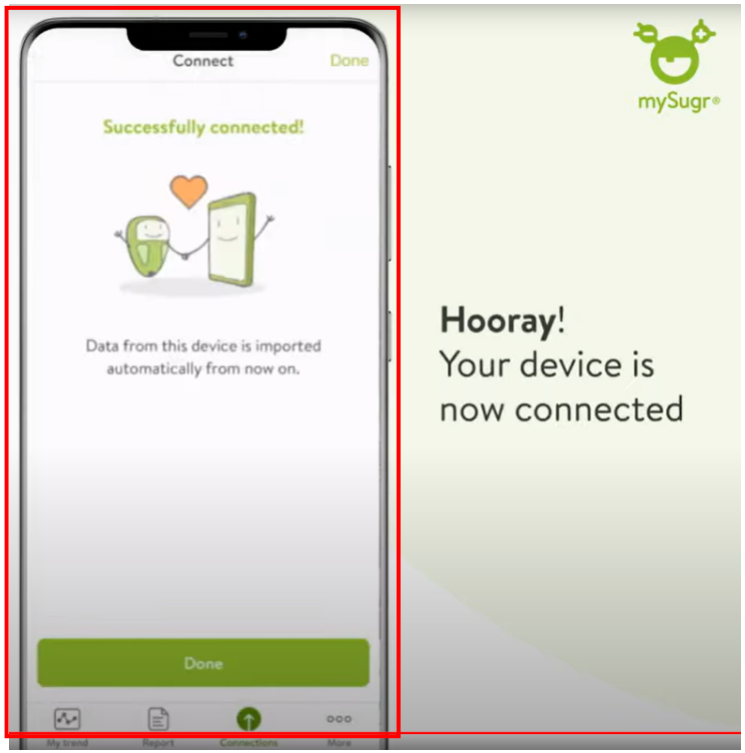


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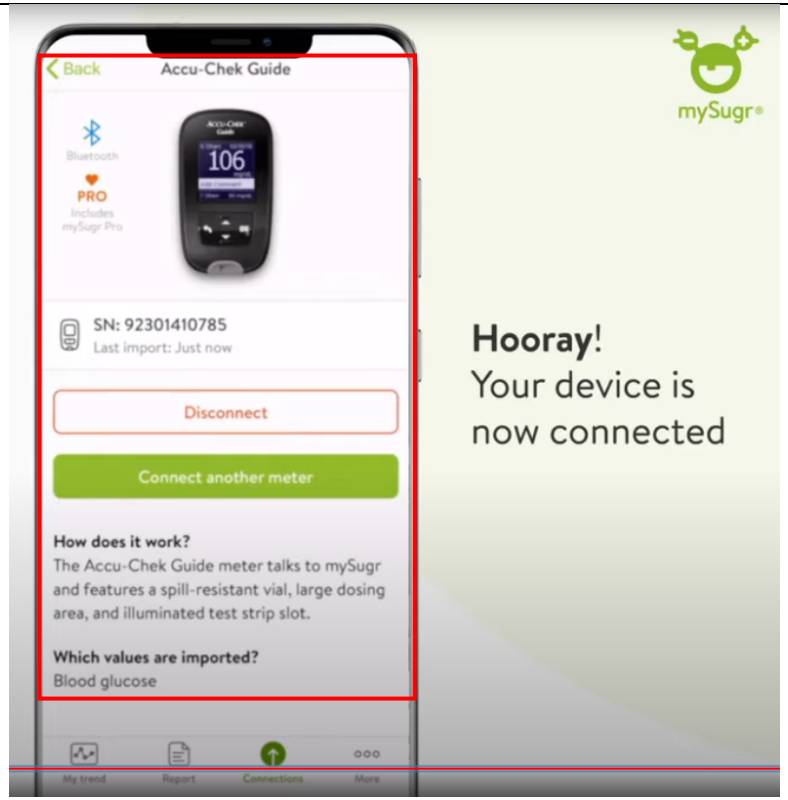
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [12.5] at least one digital media file initially disposed on the | Company makes, uses, sells and/or offers to sell at least one digital media file initially disposed on the wireless mobile device, said media system being structured to detect said wireless mobile device disposed within said wireless range.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the Accu-Chek Guide ("wireless mobile device") employs the Bluetooth network to pair with the mySugr app which is installed on the user's smartphone. The mySugr app detects the Accu-Chek Guides which are within its |

Exhibit 4 to the Complaint.

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| wireless mobile device, said media system being structured to detect said wireless mobile device disposed within said wireless range, | Bluetooth range ("media system being structured to detect said wireless mobile device disposed within said wireless range").<br><br>**1 Personalized logging screen**<br>Organize the app the way it suits you better. Remove or add fields depending on your therapy needs.<br><br>**2 mySugr Analytics**<br>The analytics dashboard in the mySugr app provides you with an overview of your recorded blood sugars to help you identify patterns, allowing you to identify areas where your management could be optimized.<br><br>**3 Data Reports & Sharing**<br>mySugr Reports compile your data for easy printing or digital sharing. You can access and download your data anytime, anywhere and feel free to share your reports with your family, caregivers, and healthcare team for accountability and support.<br><br> <br><br>Source: https://www.accu-chek.com/products/mysugr (annotated) |

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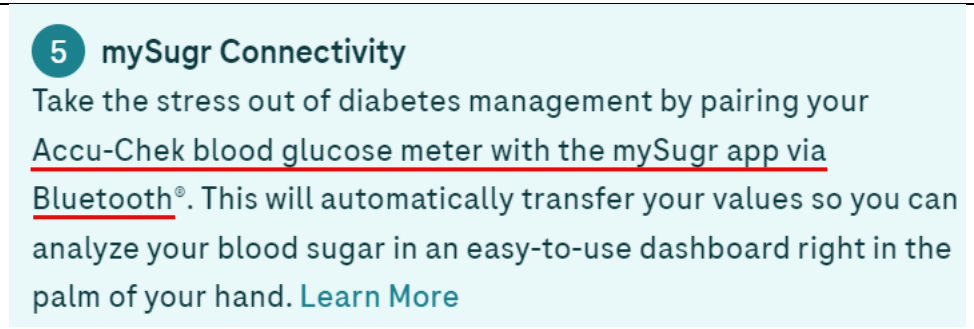


Source: https://www.accu-chek.com/products/meters/guide

**Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that

1. utilizes Bluetooth low energy technology,
2. it is paired with, and
3. has an application that can accept the meter data.

wireless mobile device

Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70 (annotated)

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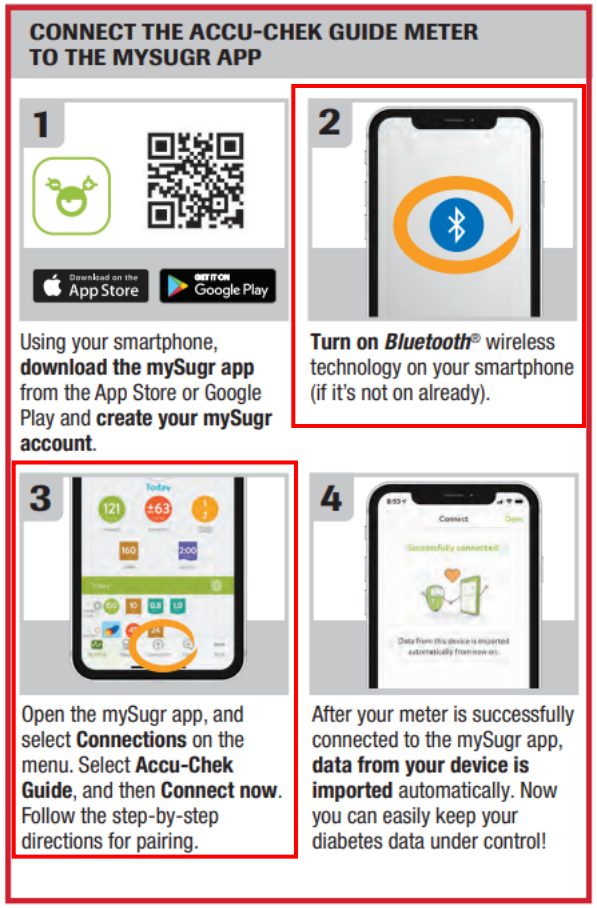


Source: https://www.accu-chek.com/document/accu-chek-guide-quick-start-guide-2/download, Page 1 of 2

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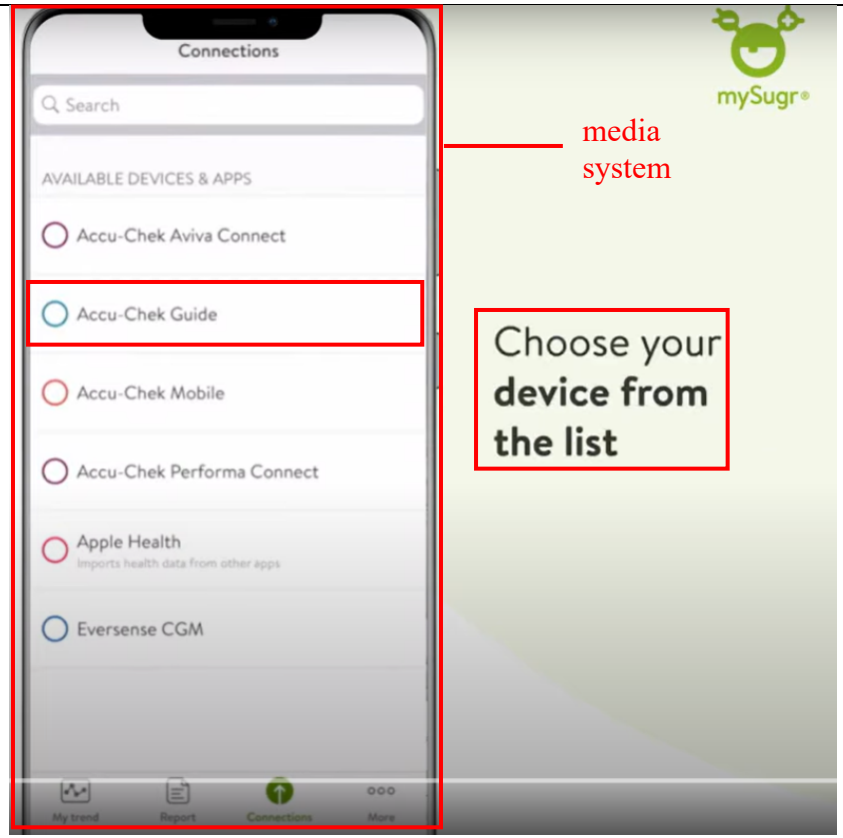


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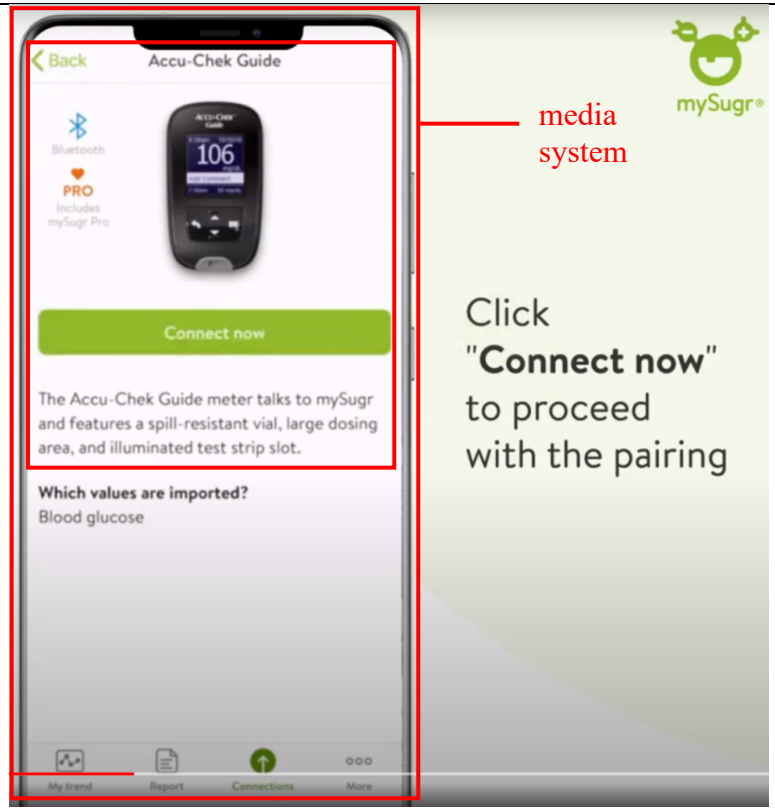


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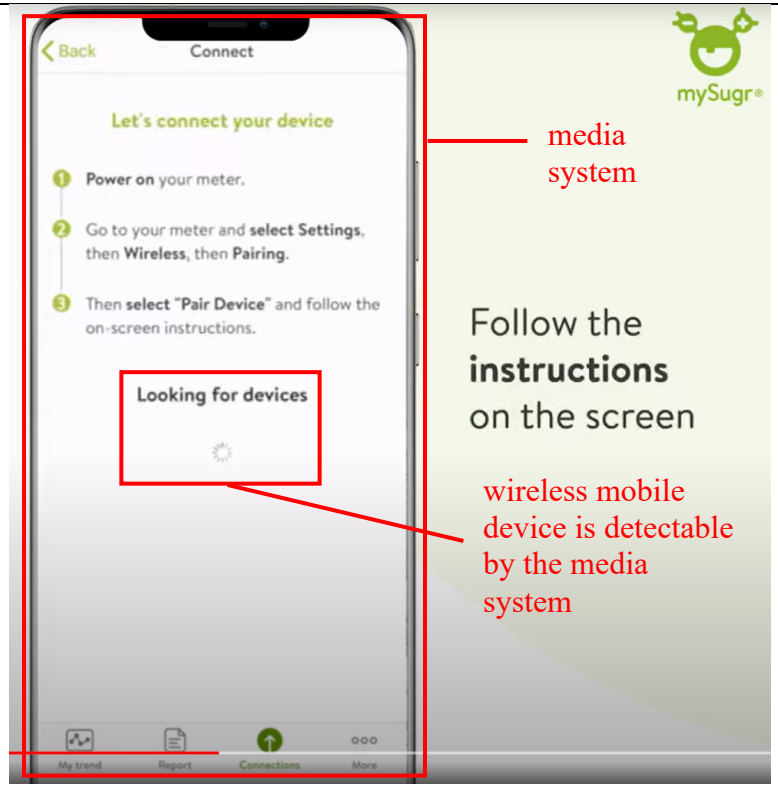


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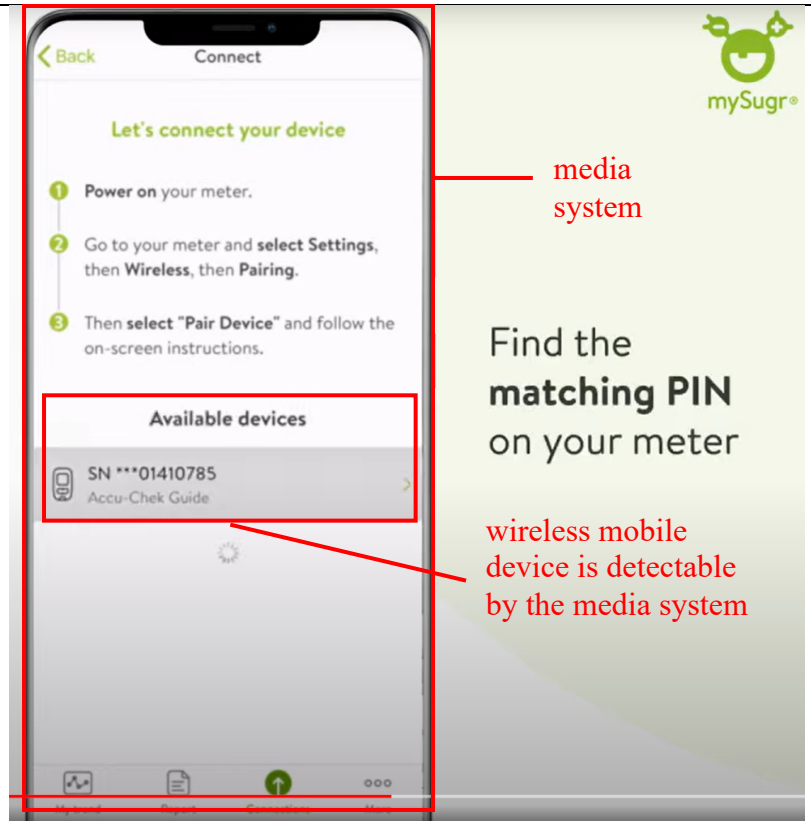


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| [12.6] a communication link structured to | Company makes, uses, sells and/or offers to sell a communication link structured to dispose said media system and said wireless mobile device in a communicative relation with one another via said at least one interactive computer network.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents. |

Exhibit 4 to the Complaint.

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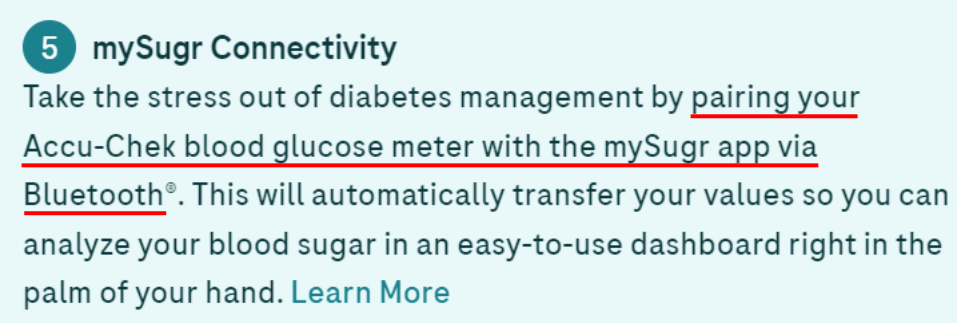
| dispose said media system and said wireless mobile device in a communicative relation with one another via said at least one interactive computer network, | For example, mySugr app installed on the user's smartphone and Accu-Chek Guide establishes a connection through Bluetooth pairing. This process creates a Bluetooth channel ("communication link structured to dispose") between Accu-Chek Guide meter and mySugr app for the transfer of the measured blood sugar levels ("a communicative relation with one another via said at least interactive computer network").<br><br>  <br>Source: https://www.accu-chek.com/products/meters/guide |

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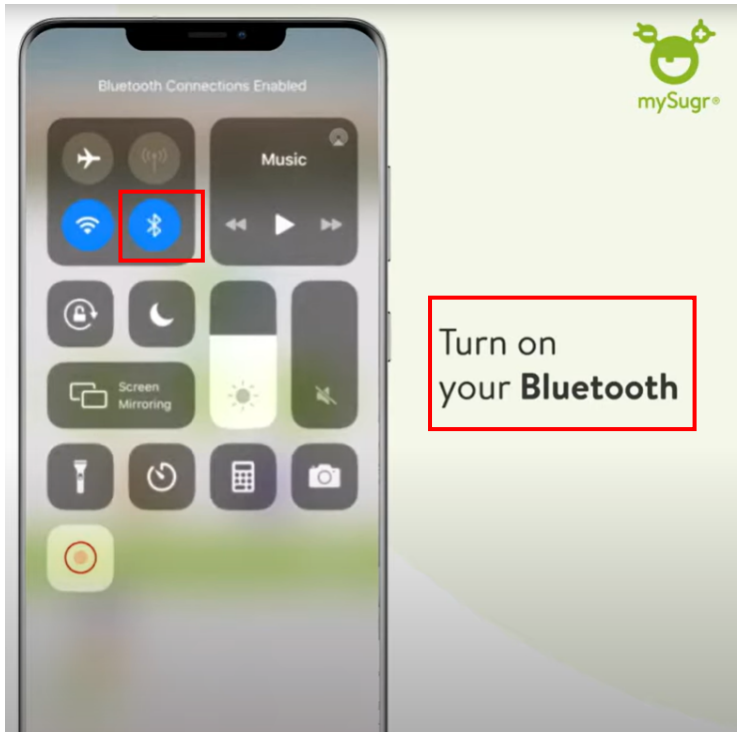


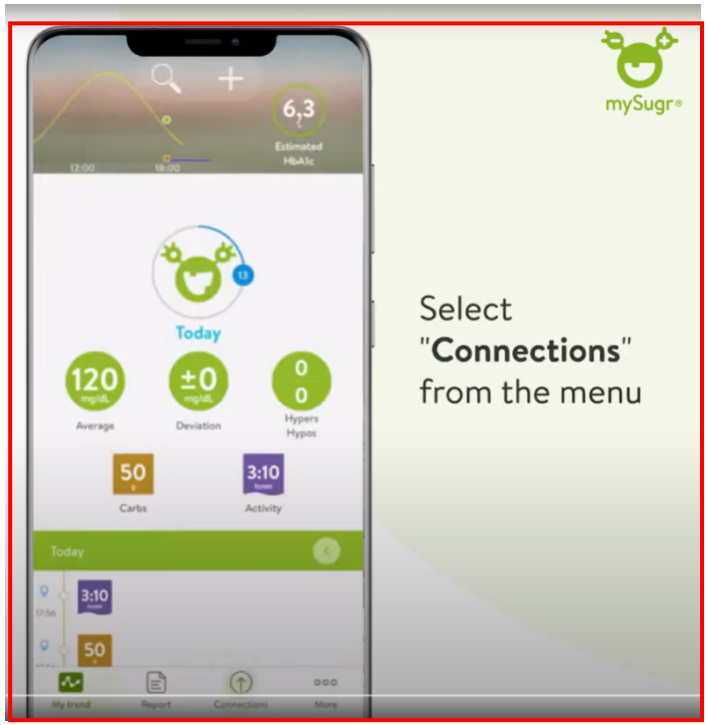


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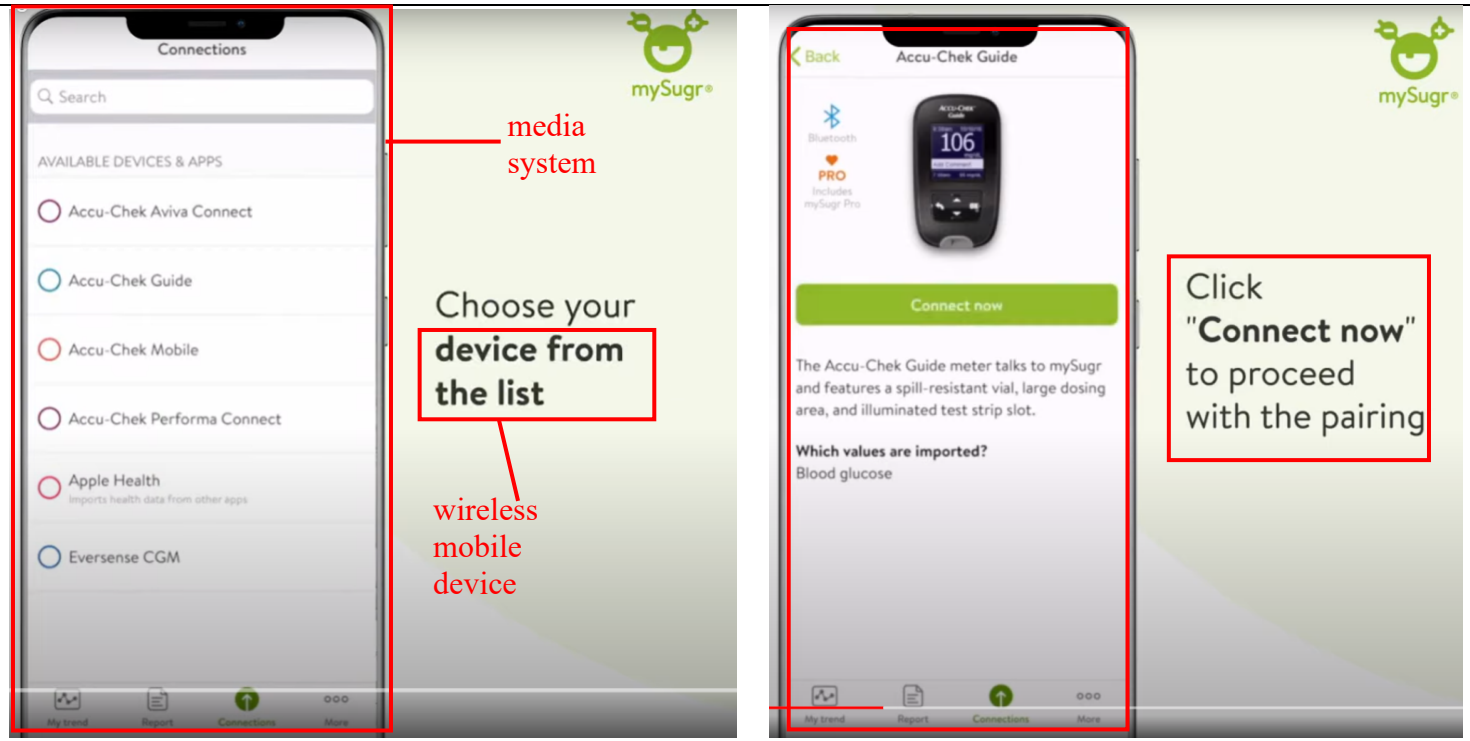


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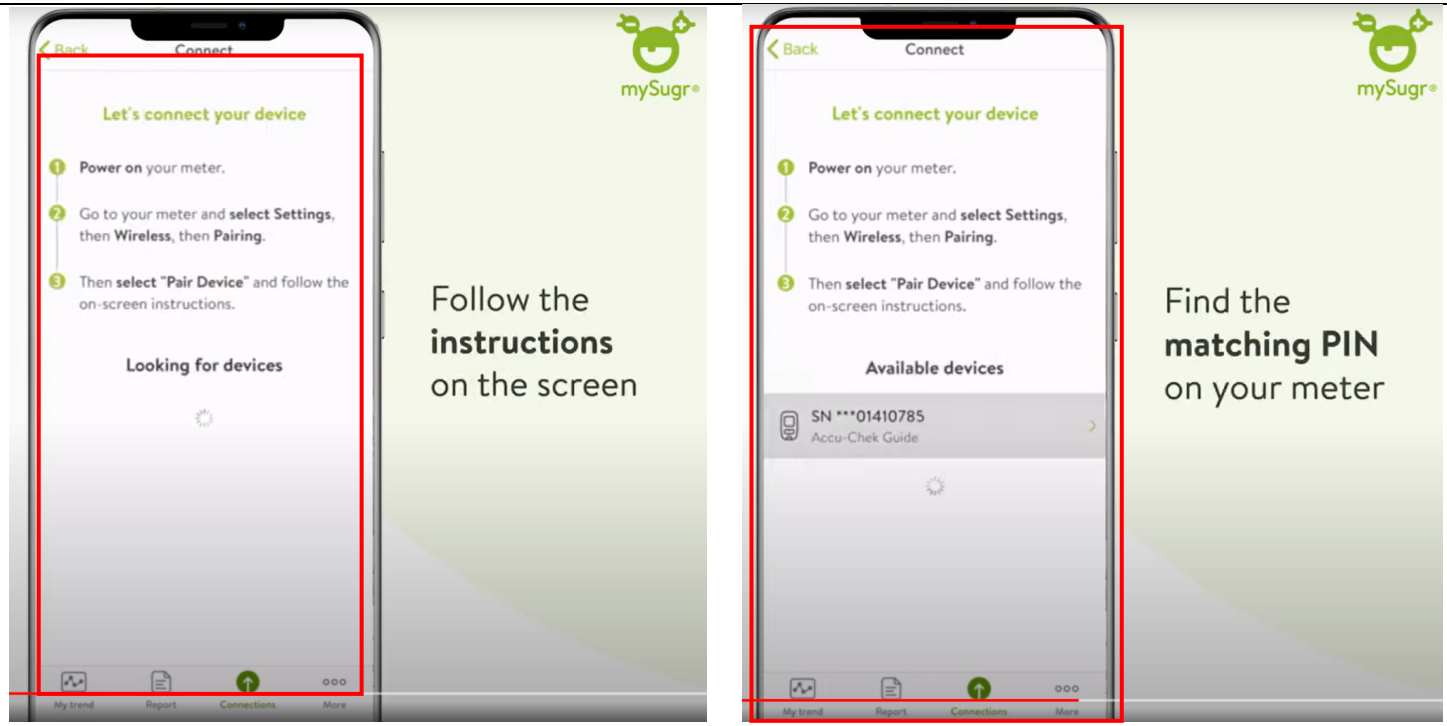


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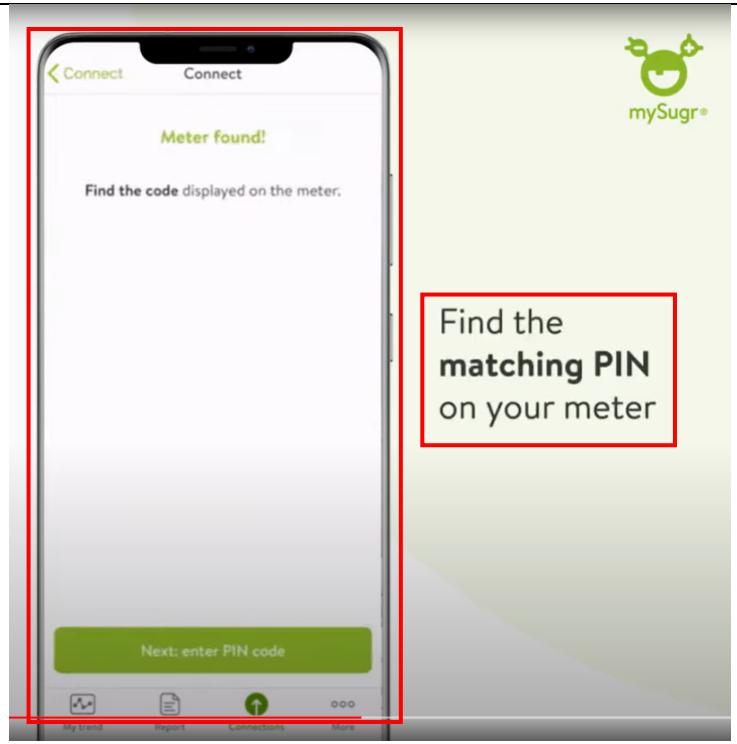


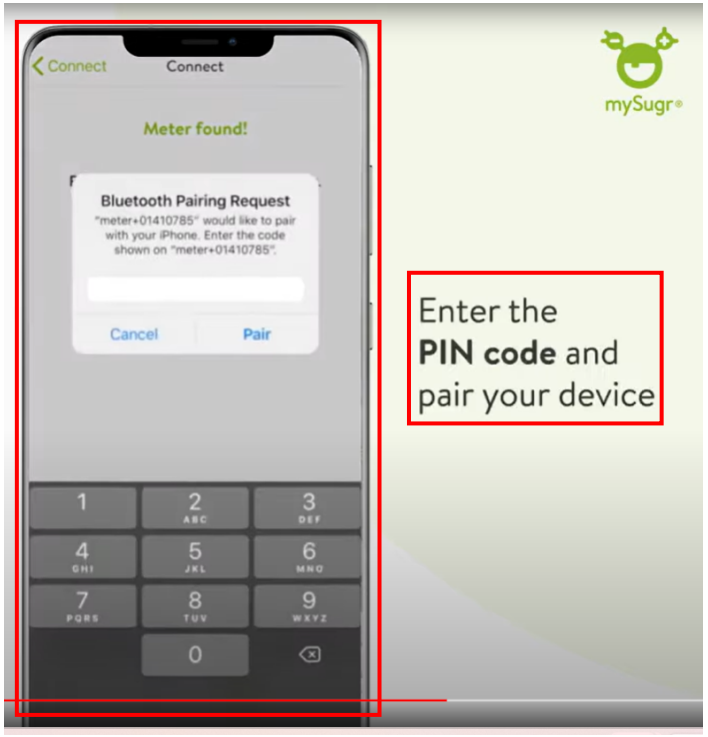


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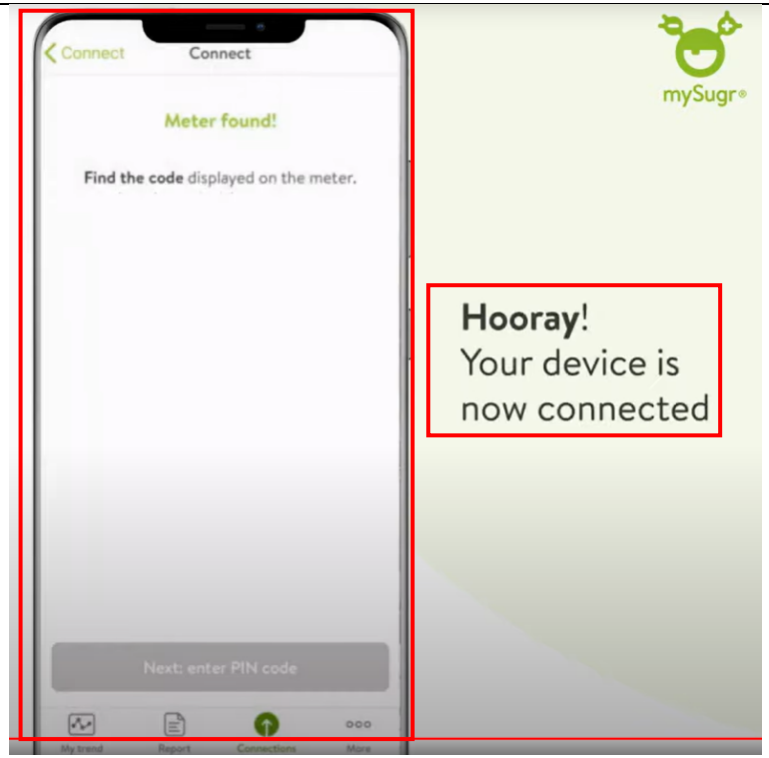


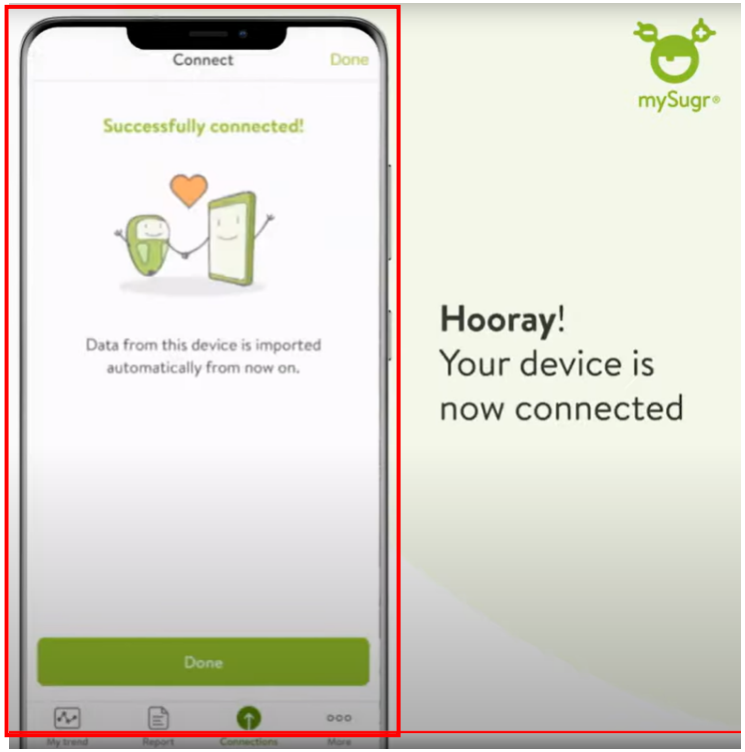


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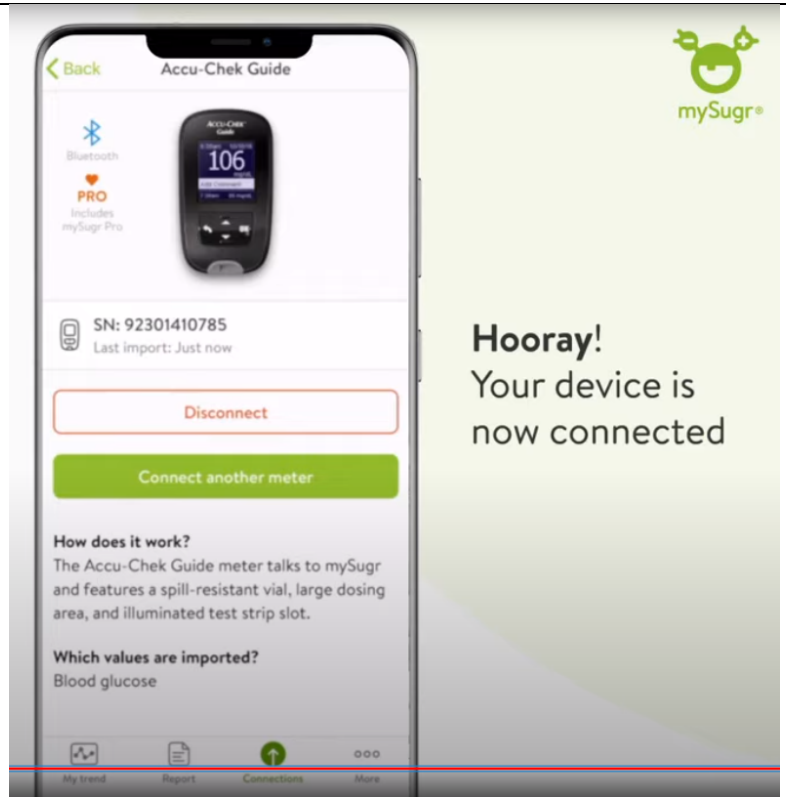
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [12.7] said communication link being initiated by said media system, | Company makes, uses, sells and/or offers to sell said communication link being initiated by said media system.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the mySugr app, installed on the smartphone, initiates Bluetooth pairing to establish the communication channel with the Accu-Chek Guide. |

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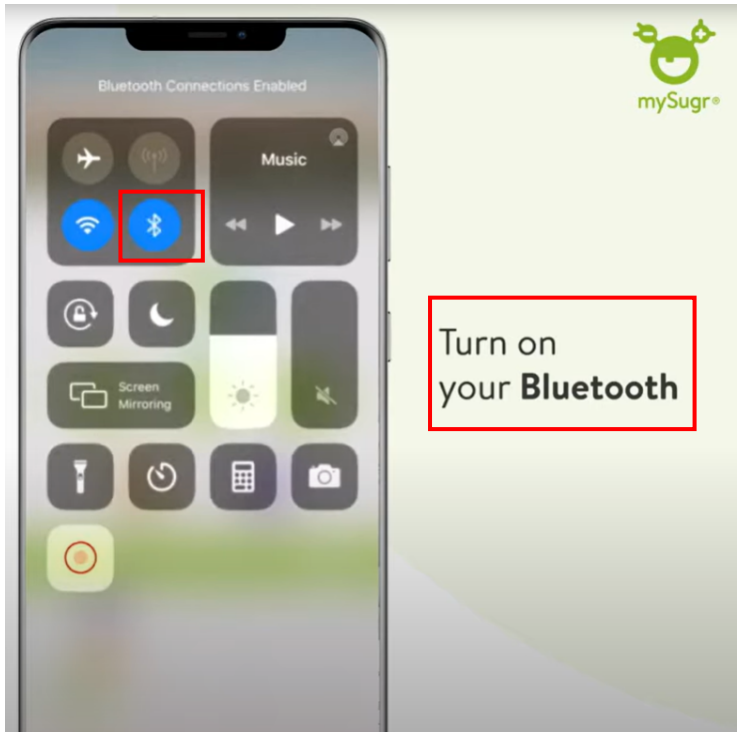


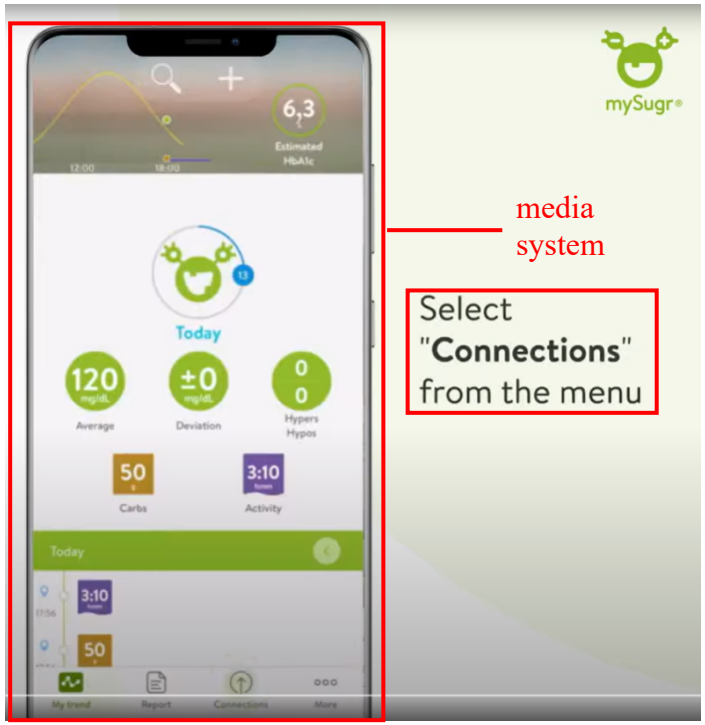


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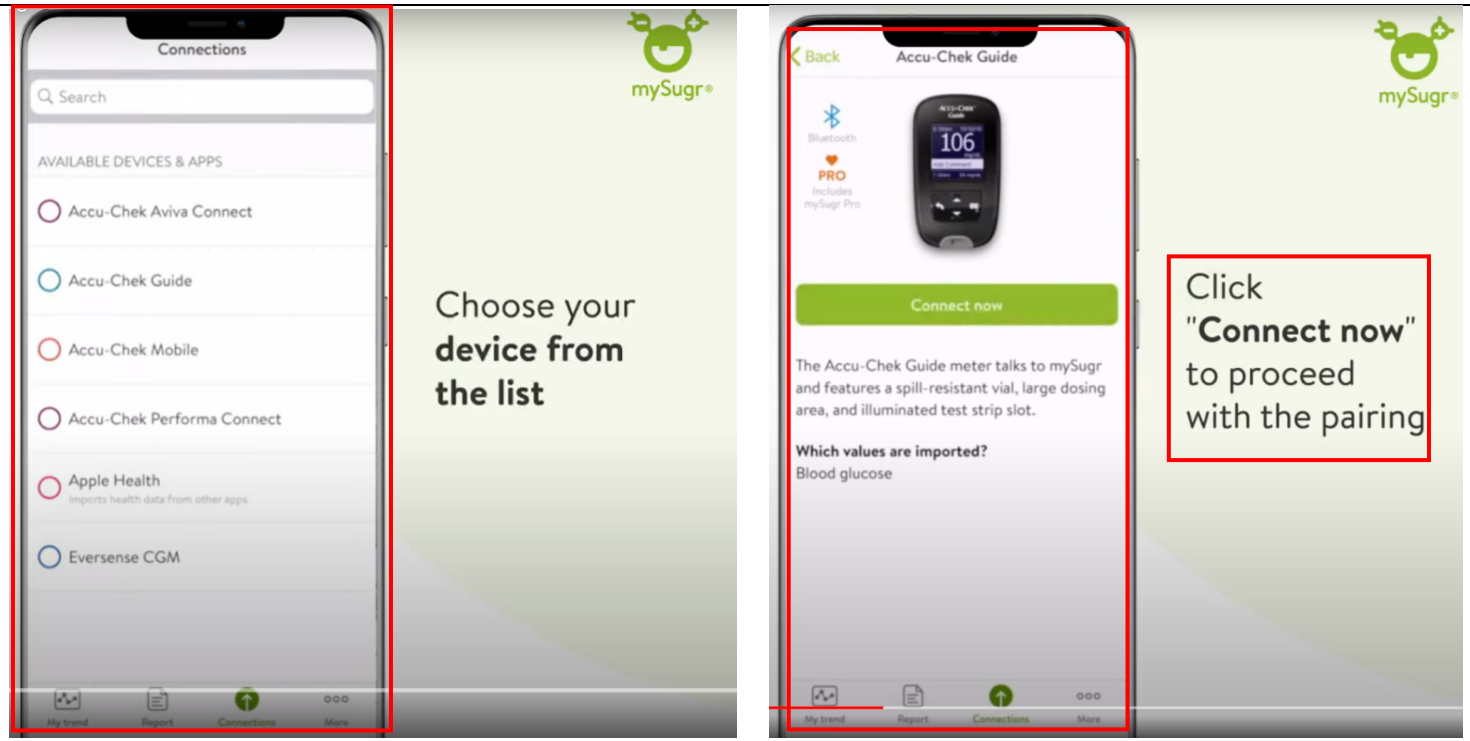


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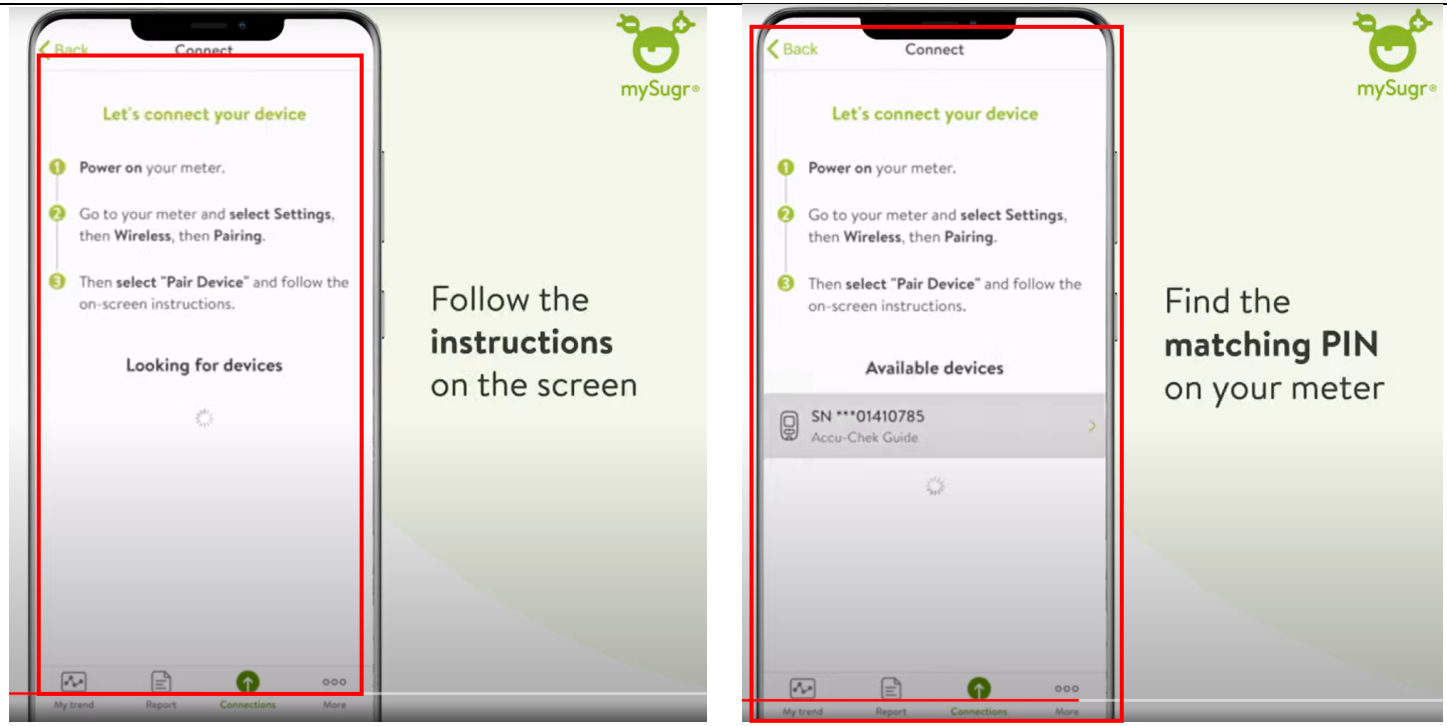


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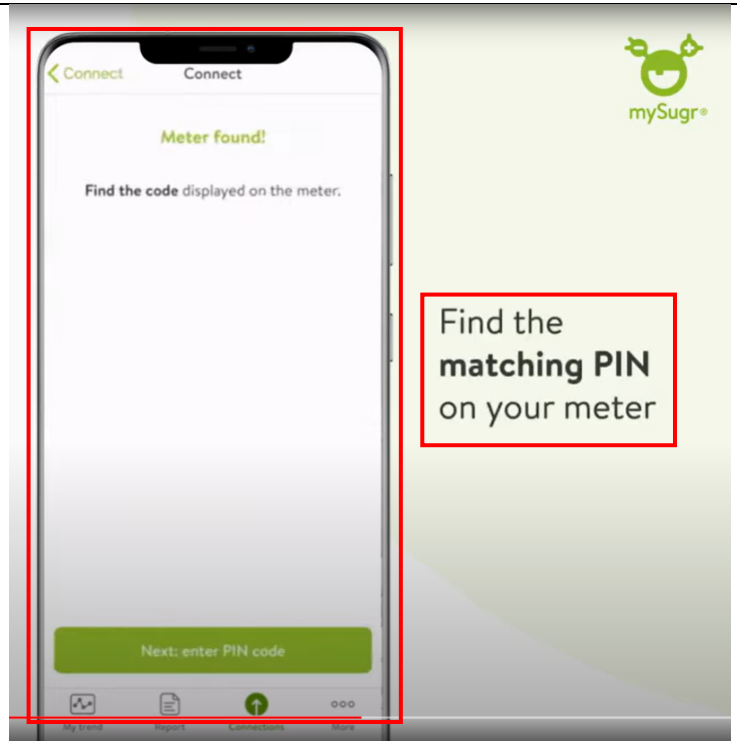


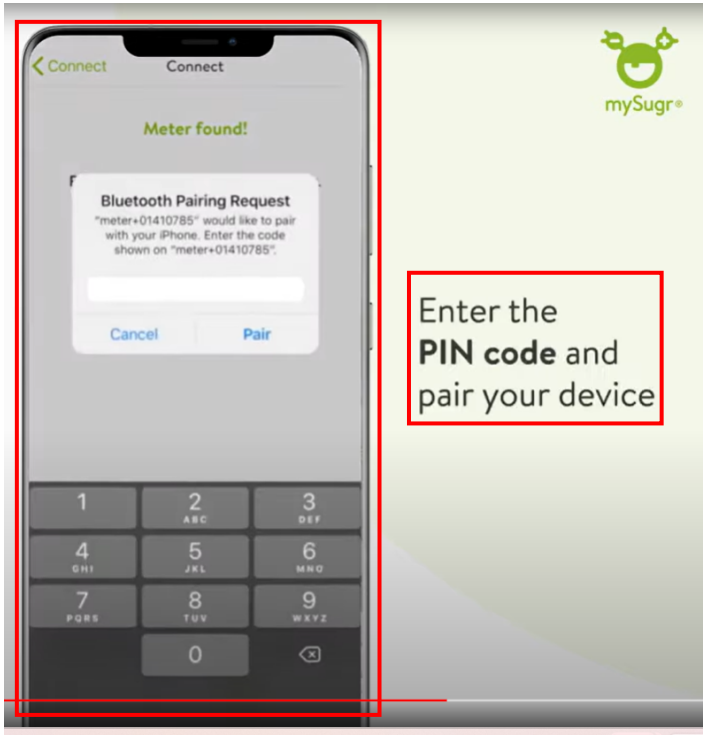


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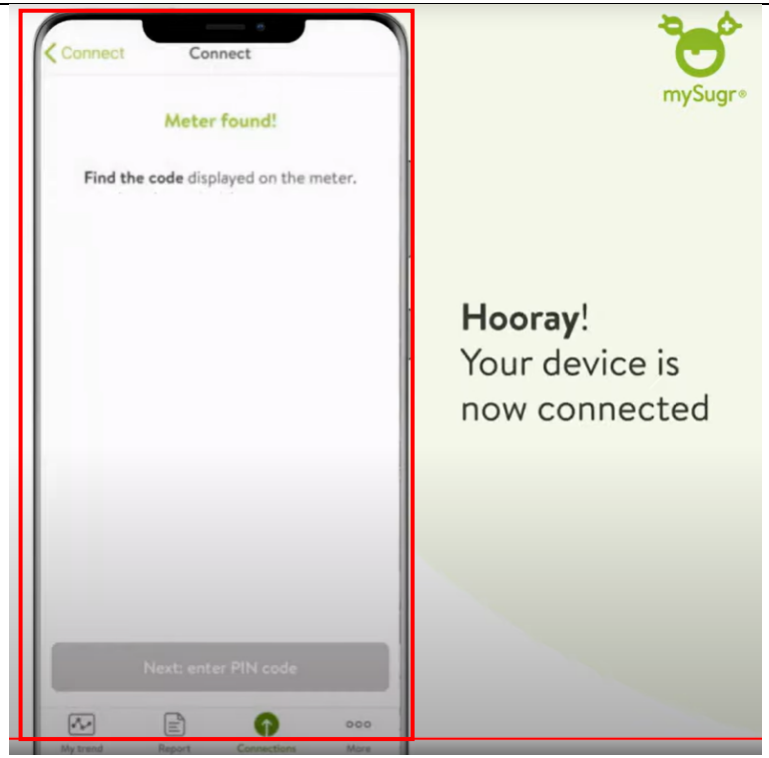


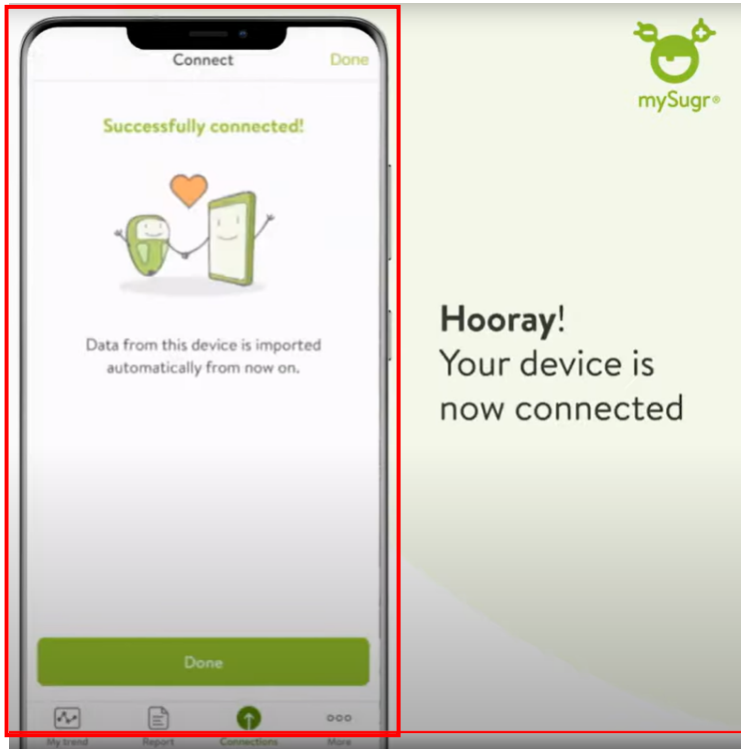


Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:38, 0:40

Exhibit 4 to the Complaint.

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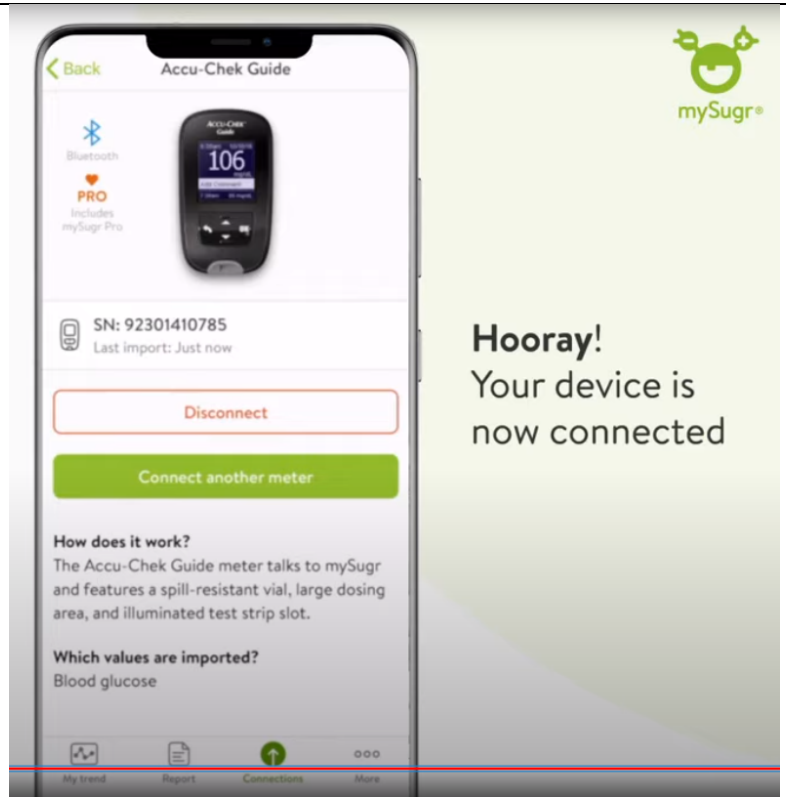
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [12.8] said wireless mobile device and media system being structured to | Company makes, uses, sells and/or offers to sell said wireless mobile device and media system being structured to transmit said at least one digital media file therebetween via said communication link.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, after establishing a Bluetooth channel ("communication link") between the mySugr app installed on the user's smartphone and the Accu-Chek Guide, the Accu-Chek Guide ("wireless mobile device") sends ("structured to |

Exhibit 4 to the Complaint.

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| transmit said at least one digital media file therebetween via said communication link, and | transmit") the measured blood sugar levels ("at least one digital media file") to the mySugr app installed on the user's smartphone ("media system").<br><br>**5 mySugr Connectivity**<br>Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More<br>Source: https://www.accu-chek.com/products/meters/guide<br><br>**Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that<br>1. utilizes Bluetooth low energy technology,<br>2. it is paired with, and<br>3. has an application that can accept the meter data.<br>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70 |

Exhibit 4 to the Complaint.

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| | **How can I transfer Accu-Chek meter data to mySugr?** ^<br><br>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.<br><br>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:<br><br>1. If you are using an Apple device, make sure Bluetooth® is turned on.<br><br>a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.<br><br>2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)<br>3. Open the mySugr app and go to the “Connections” tab in the bar menu located at the bottom of the screen.<br>4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.<br>5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.<br>6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<br>Source: https://www.accu-chek.com/support/products/guide |

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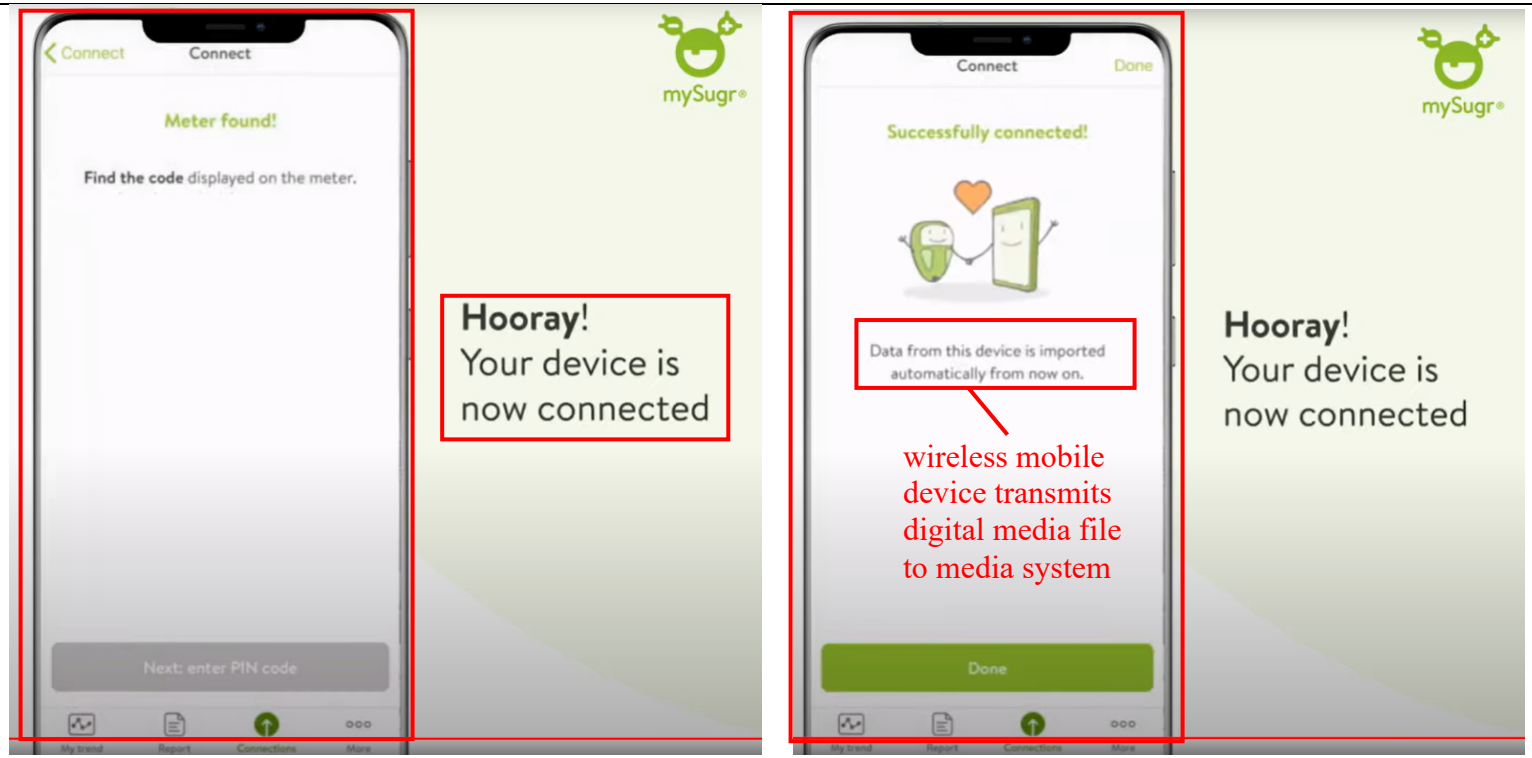


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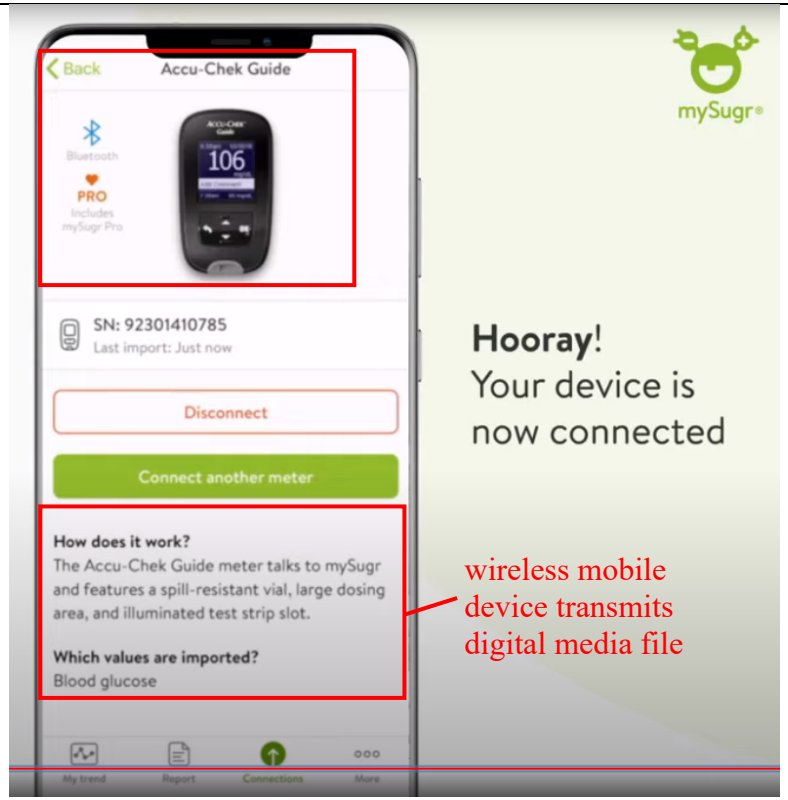
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43 (annotated)<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [12.9] said communication link is structured to bypass the security measure of | Company makes, uses, sells and/or offers to sell said communication link is structured to bypass the security measure of the media system for a limited permissible use of the communication link by the wireless mobile device for only transferring the at least one digital media file to, and displaying the at least one digital media file on, the media system.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents. |

Exhibit 4 to the Complaint.

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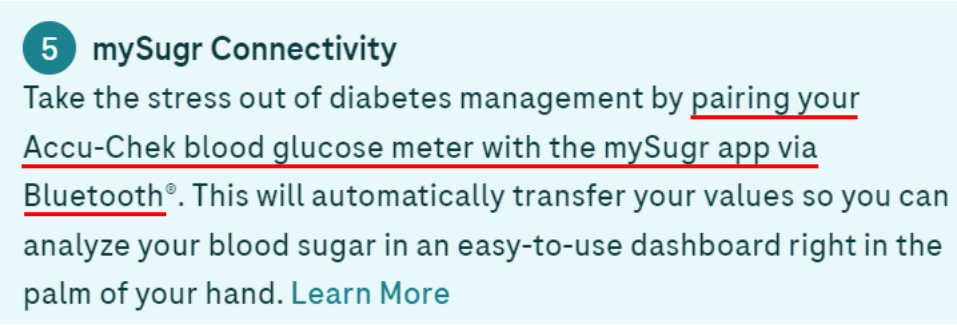
| the media system for a limited permissible use of the communication link by the wireless mobile device for only transferring the at least one digital media file to, and displaying the at least one digital media file on, the media system. | For example, the Accu-Chek Guide meter and the mySugr app do not require users to input a PIN ("security measure") every time they communicate. Instead, the PIN input is necessary during the initial pairing process, and thereafter, the devices automatically exchange data without requiring users to re-enter the PIN ("security measure of the media system"). The Accu-Chek Guide meter utilizes that communication channel exclusively for transmitting the measured blood sugar levels to the mySugr app ("bypass the security measure of the media system for a limited permissible use of the communication link by the wireless mobile device for only transferring the at least one digital media file"). The mySugr app displays the received the measured blood sugar levels. Therefore, upon information and belief, the Bluetooth channel created between Accu-Chek Guide meter and mySugr app bypass the security measure of the media system.<br><br>  <br>Source: https://www.accu-chek.com/products/meters/guide |

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| | **Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that<br>1. utilizes Bluetooth low energy technology,<br>2. it is paired with, and<br>3. has an application that can accept the meter data.<br>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70 |

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| | **How can I transfer Accu-Chek meter data to mySugr?**<br><br>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.<br><br>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:<br><br>1. If you are using an Apple device, make sure Bluetooth® is turned on.<br><br>a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.<br><br>2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)<br>3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.<br>4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.<br>5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.<br>6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<br><br>Source: https://www.accu-chek.com/support/products/guide |

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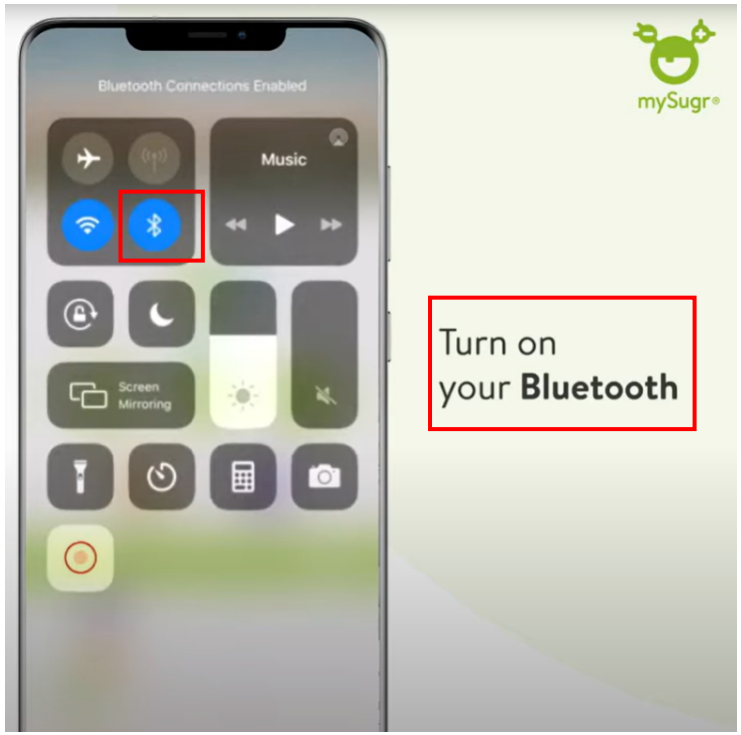
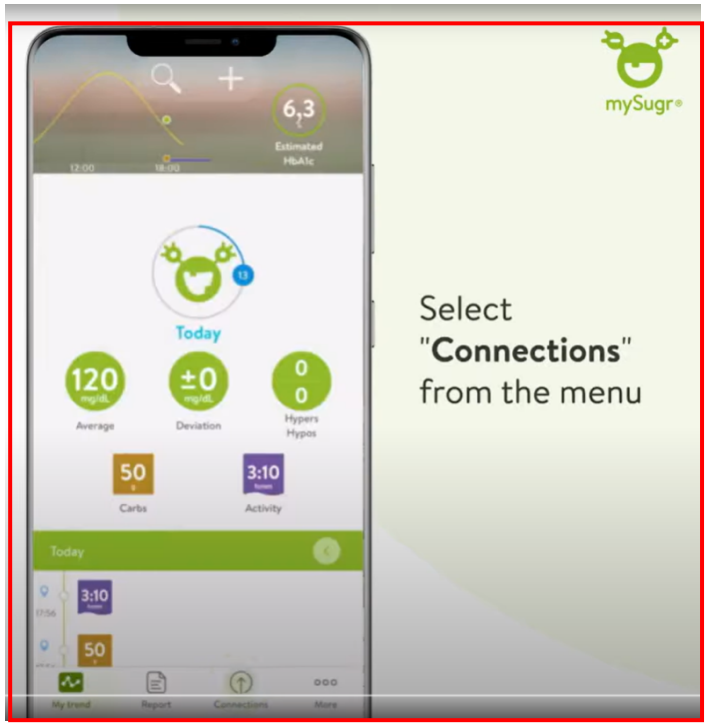
| |   Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:07, 0:09 |

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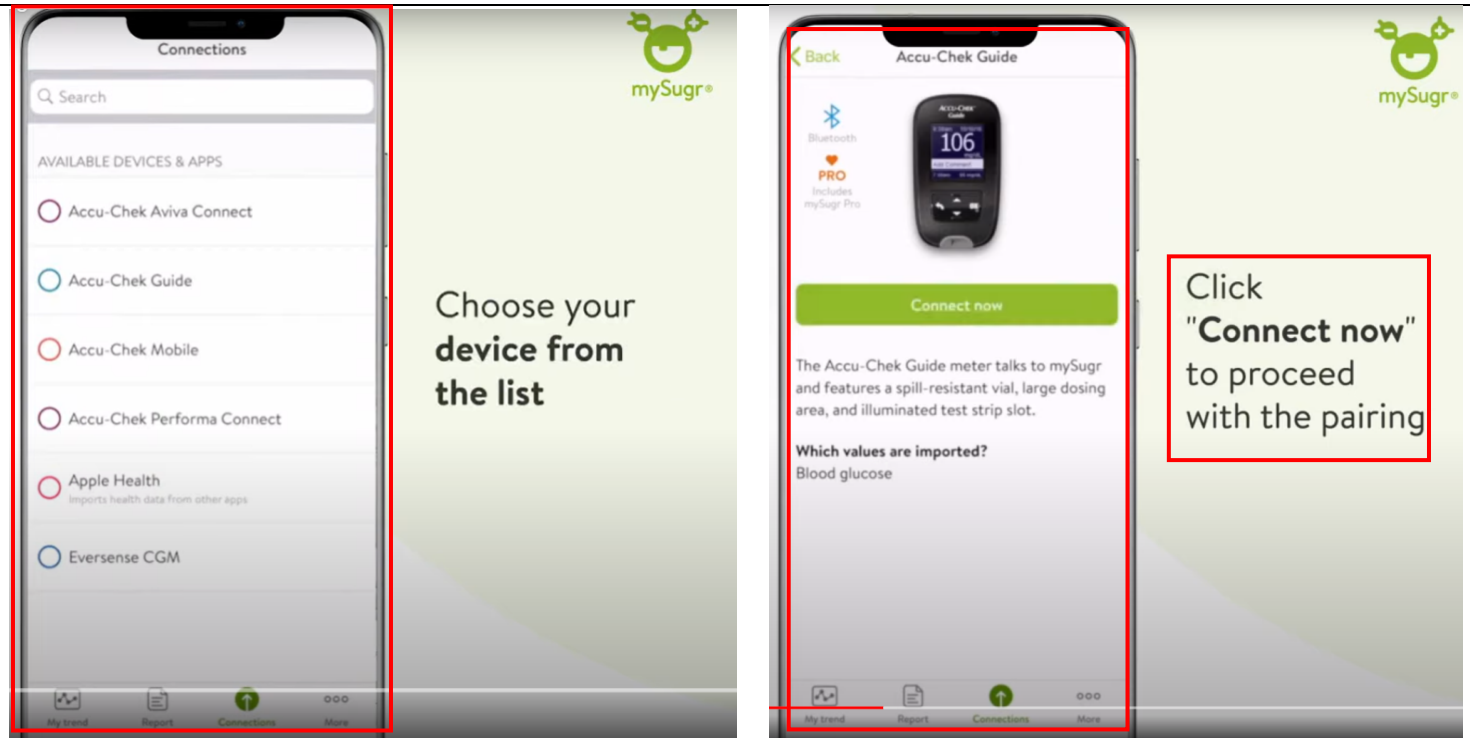


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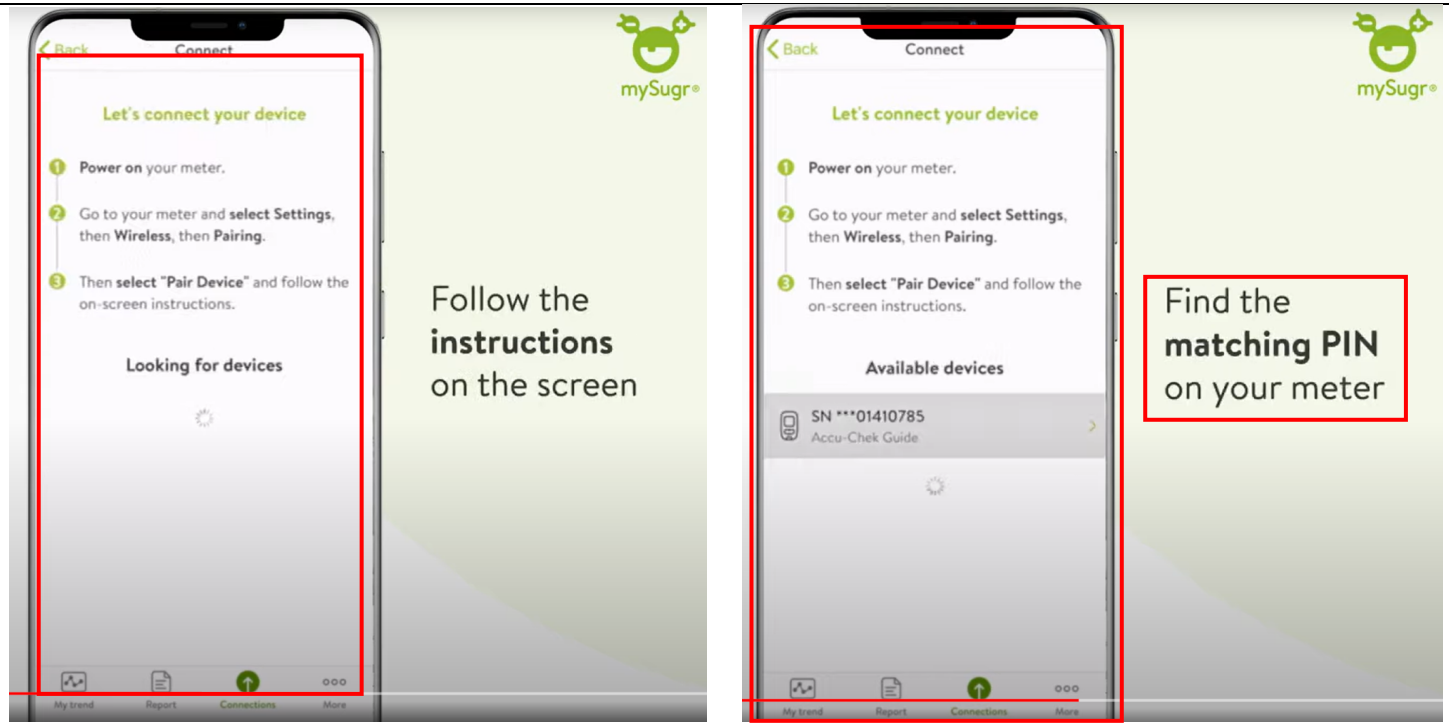


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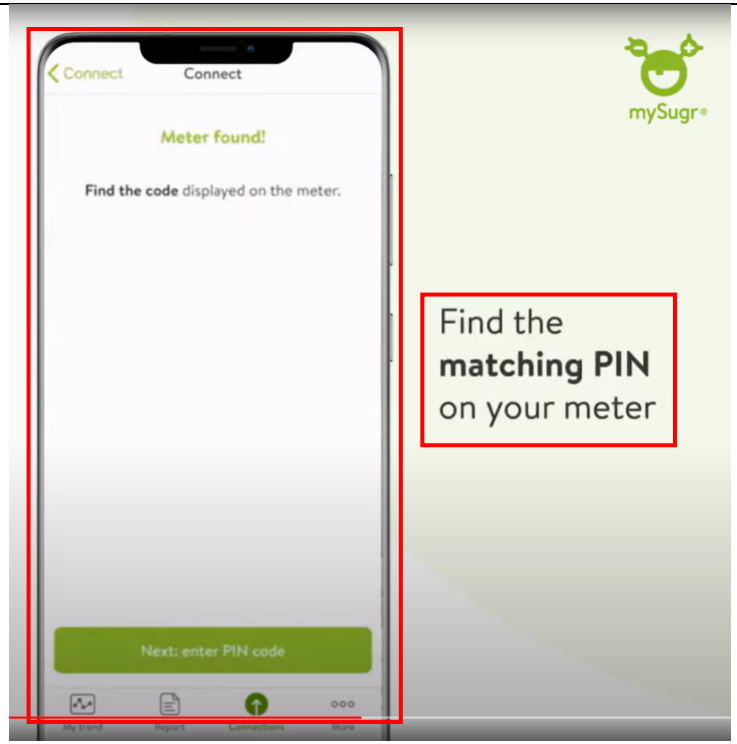


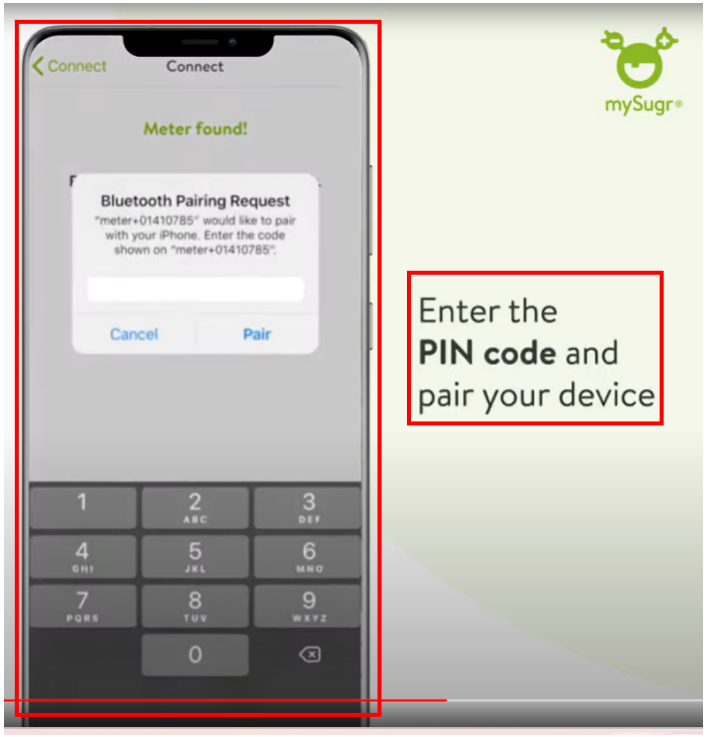


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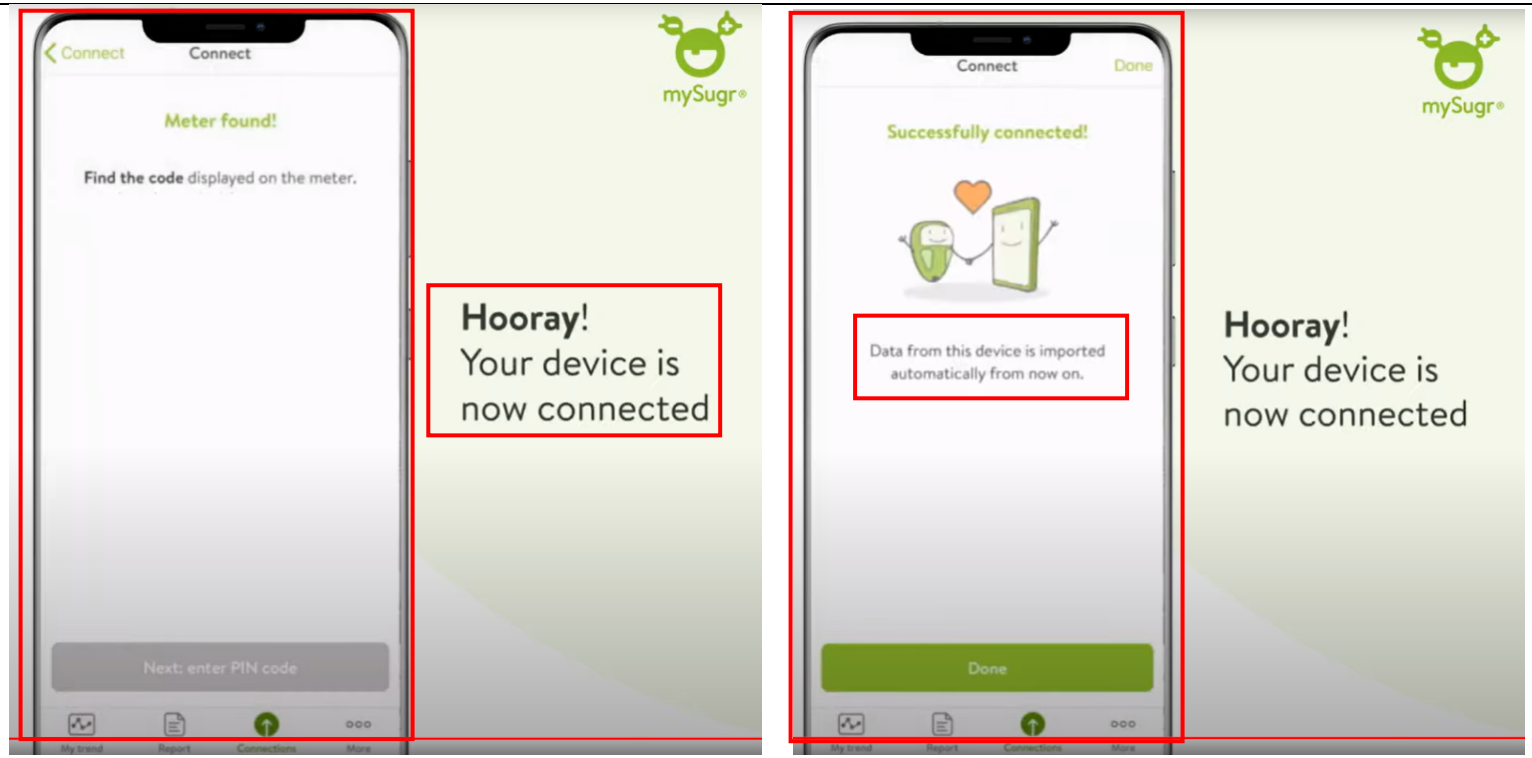


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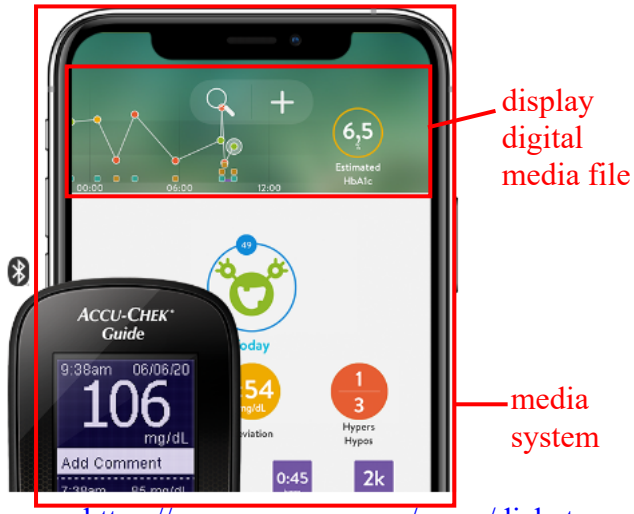
## Connecting your devices & services

At mySugr, we're of the humble opinion that paper is for origami, not for logbooks. That's why when you connect your diabetes device with mySugr, your connected meter will automatically log your blood sugar readings into the app. No need to bother flicking through pages anymore! Everything's available in a few taps in the app.

Connection Brings Freedom!

- Automatic data importing saves tons of time
- Connect your blood glucose meter and avoid manual logging errors
- Connect your Google Fit® or Apple Health® tracker to easily track fitness data
- Enjoy extra time in your days thanks to the Pairing feature

Source: https://www.mysugr.com/en-us/diabetes-app/

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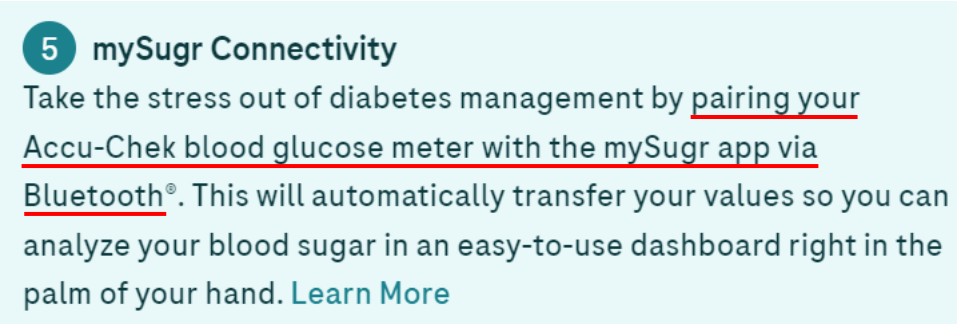
| | Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to the production of such source code by Company. |
| [14] The media system of claim 12, wherein the transmission of the at least one digital media file from the wireless mobile device to the media system completely bypasses the security measure. | Company makes, uses, sells and/or offers to sell the transmission of the at least one digital media file from the wireless mobile device to the media system completely bypasses the security measure.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the Accu-Chek Guide meter and the mySugr app do not require users to input a PIN ("security measure") every time they communicate. Instead, the PIN input is necessary during the initial pairing process, and thereafter, the devices automatically exchange data without requiring users to re-enter the PIN ("bypasses the security measure"). Therefore, upon information and belief, the Bluetooth channel created between Accu-Chek Guide meter and mySugr app completely bypasses the security measure.<br><br>  <br>Source: https://www.accu-chek.com/products/meters/guide |

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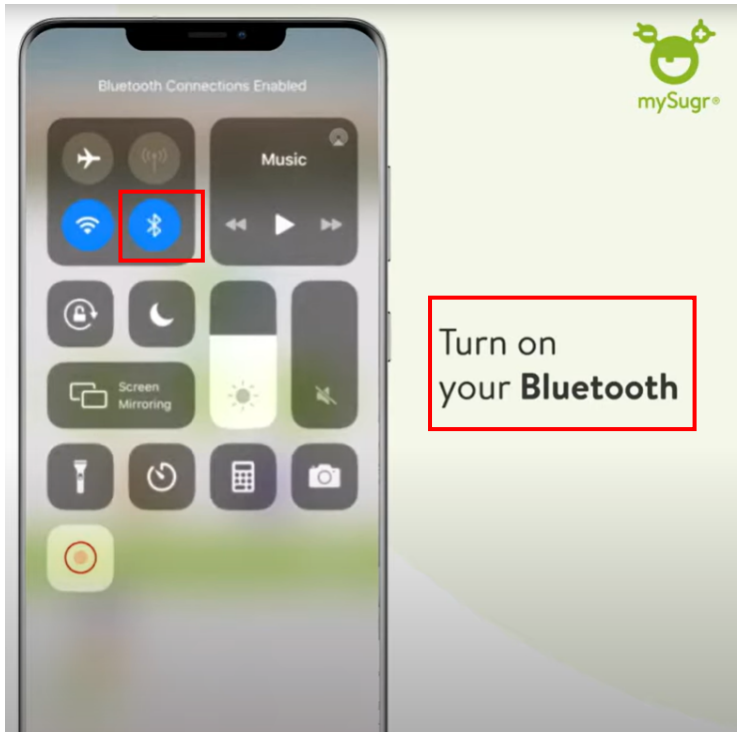


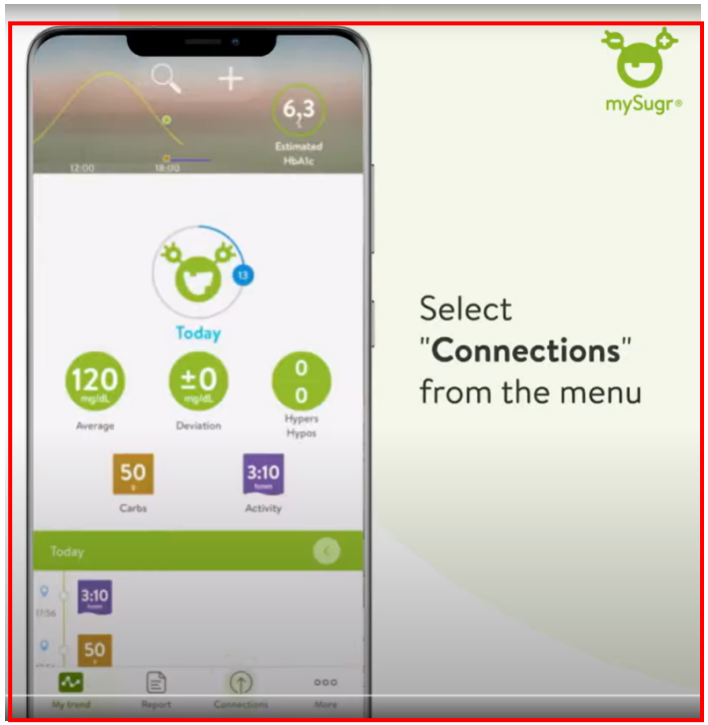


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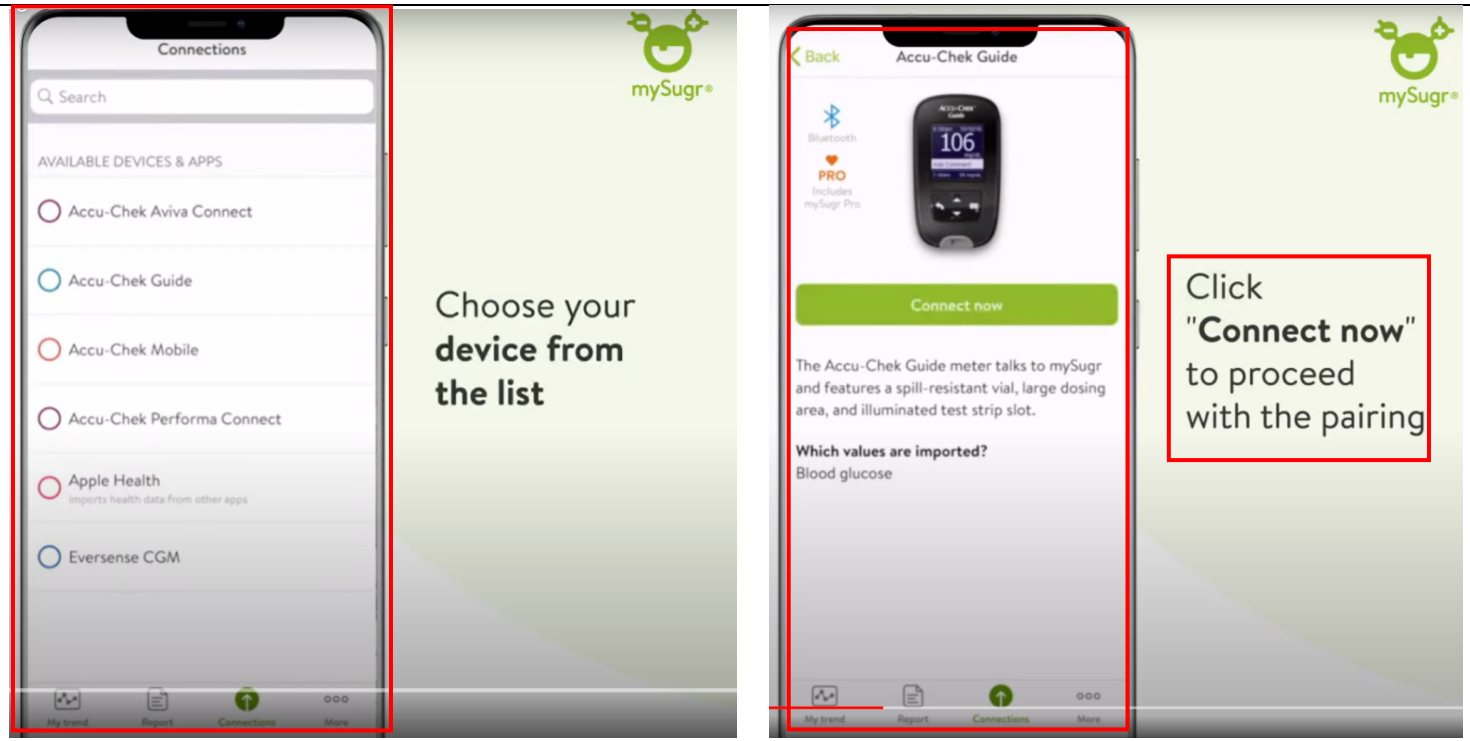


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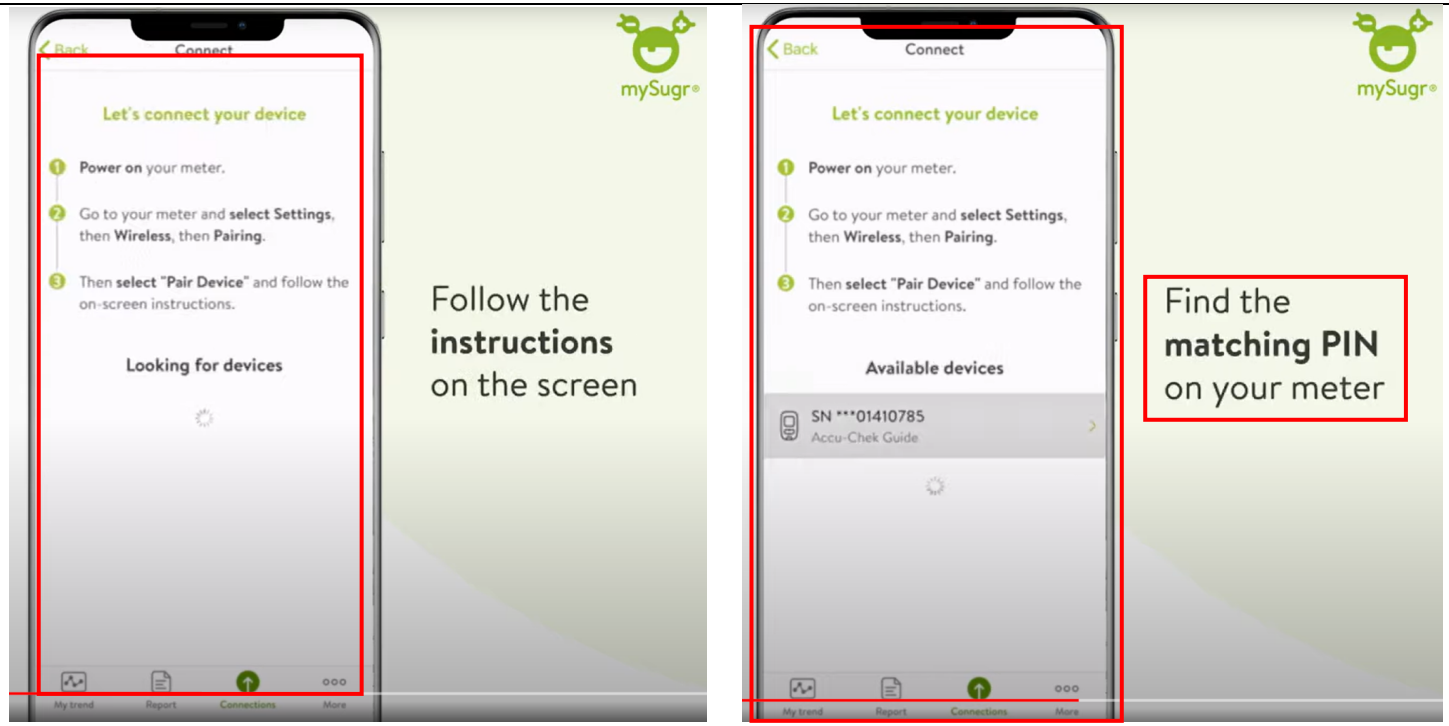


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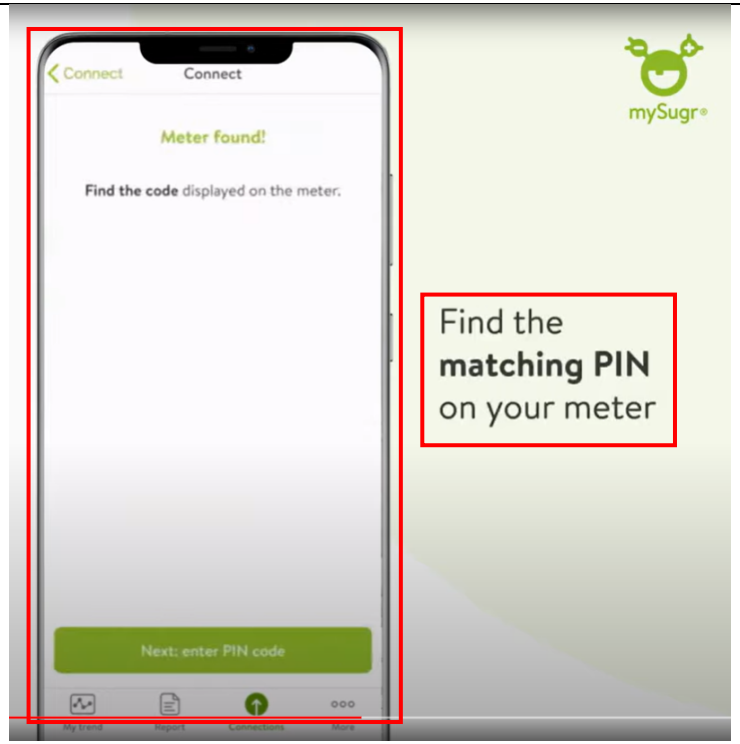


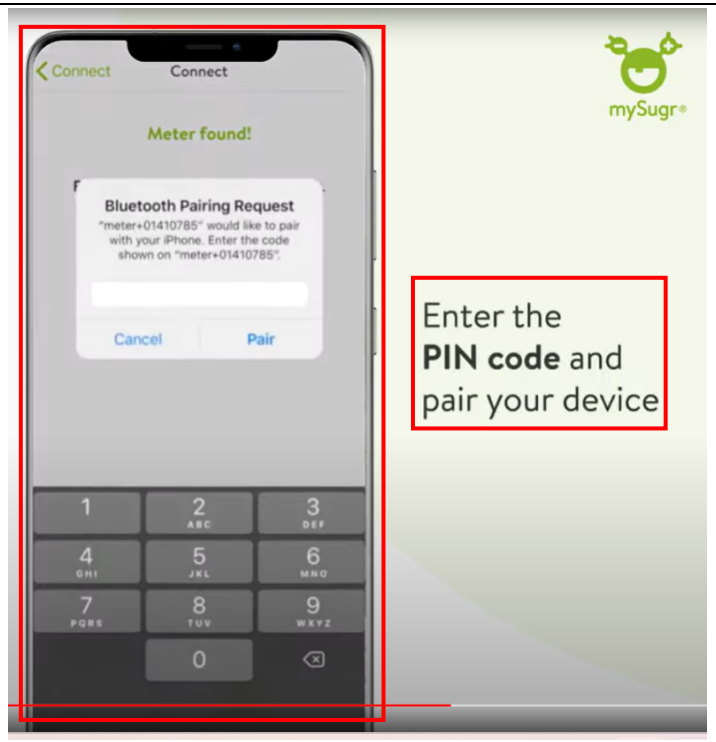


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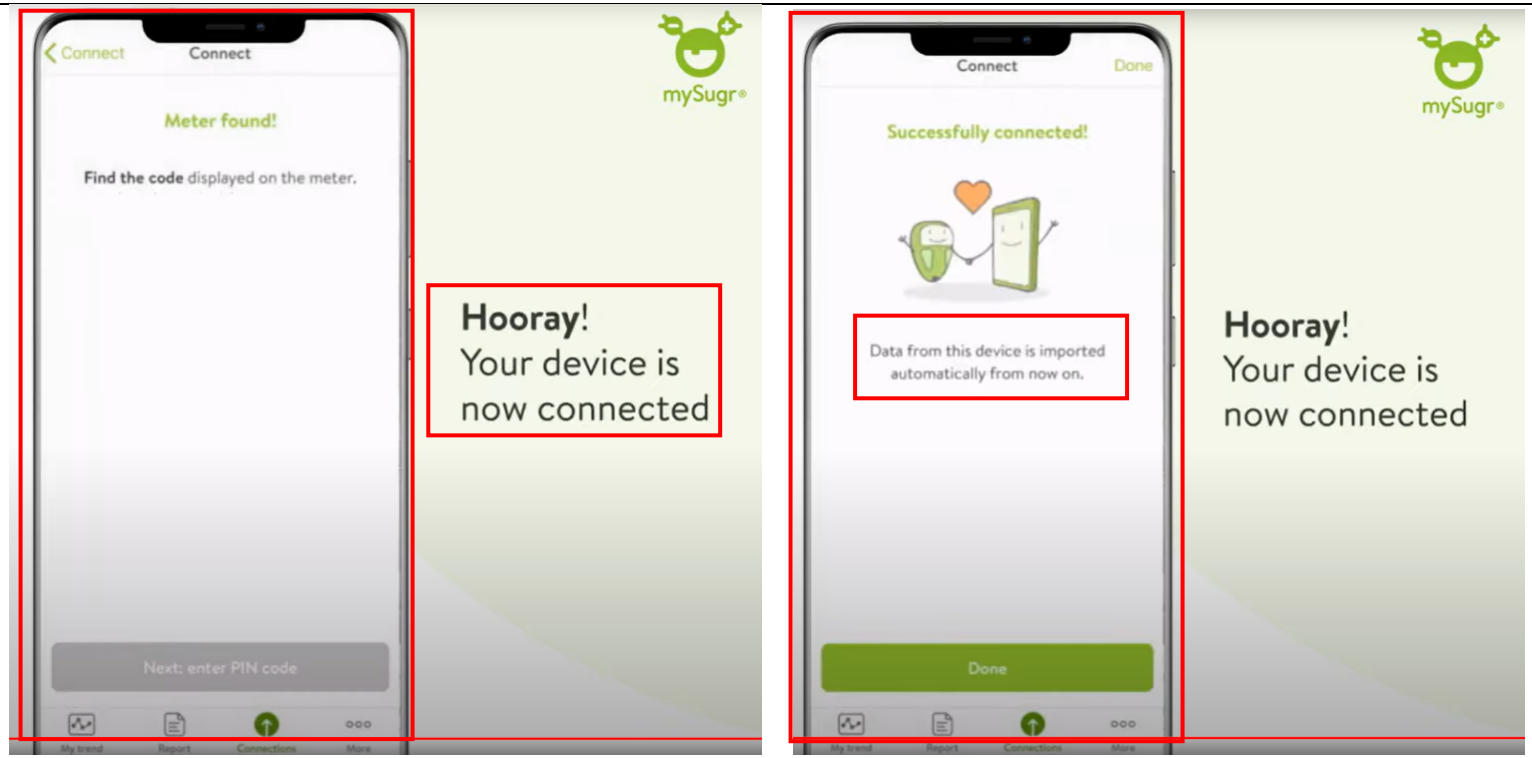


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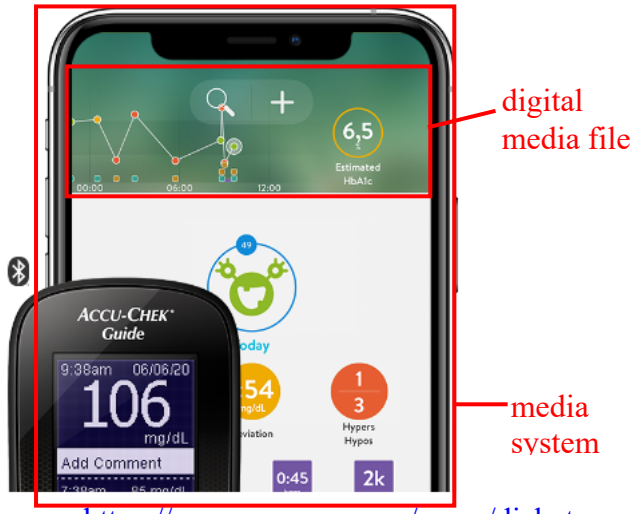


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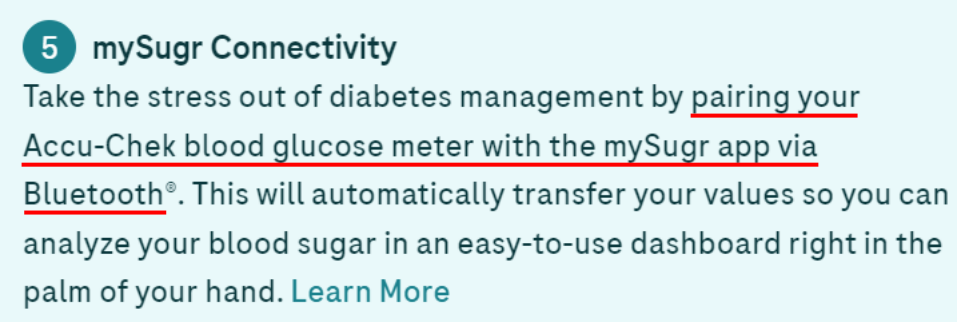
| | Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to the production of such source code by Company. |
| [17] The media system of claim 12, wherein the communication link is at least one of a peer-to-peer connection, blue tooth connection, and a WiFi connection. | Company makes, uses, sells and/or offers to sell the communication link is at least one of a peer-to-peer connection, bluetooth connection, and a WiFi connection.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the mySugr app installed in the user's smartphone detects the Accu-Chek Guide meter through Bluetooth and establishes a connection ("communication link") for receiving the measured blood sugar level.<br><br>  <br>Source: https://www.accu-chek.com/products/meters/guide |

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Source: https://www.accu-chek.com/document/accu-chek-guide-quick-start-guide-2/download, Page 1 of 2 (annotated)

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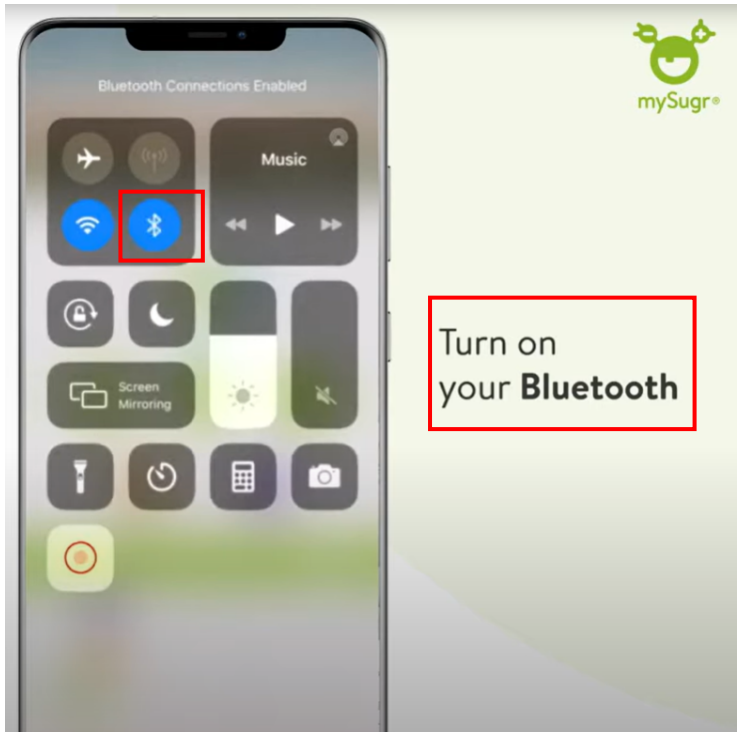
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:07<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [19] The media system of claim 12, wherein the further media system is configured | Company makes, uses, sells and/or offers to sell media system is configured to present the at least one digital media file on a display.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the mySugr app installed on the user's smartphone ("media system"), displays ("present") the measured blood sugar levels ("digital media file"). |

Exhibit 4 to the Complaint.

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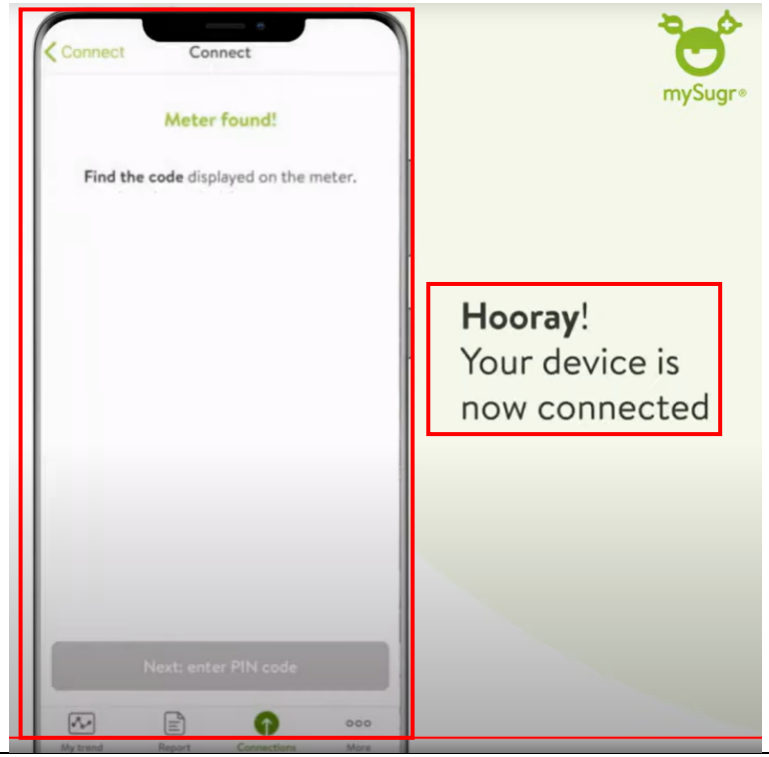
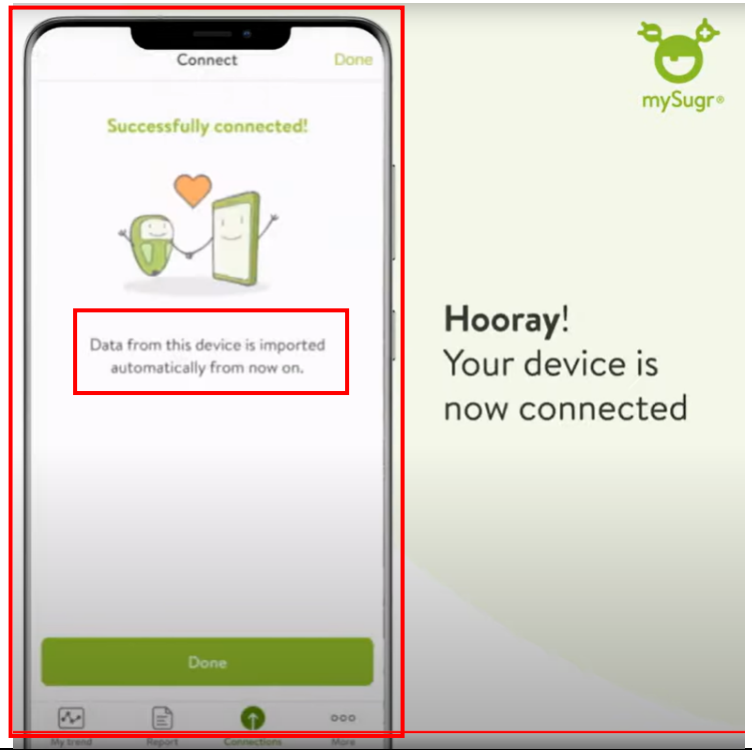
| to present the at least one digital media file on a display. | **5 mySugr Connectivity**<br>Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More<br>Source: https://www.accu-chek.com/products/meters/guide<br>  <br>  |

Exhibit 4 to the Complaint.

Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:38, 0:40

## Connecting your devices & services

At mySugr, we're of the humble opinion that paper is for origami, not for logbooks. That's why when you connect your diabetes device with mySugr, your connected meter will automatically log your blood sugar readings into the app. No need to bother flicking through pages anymore! Everything's available in a few taps in the app.

Connection Brings Freedom!

- Automatic data importing saves tons of time
- Connect your blood glucose meter and avoid manual logging errors
- Connect your Google Fit® or Apple Health® tracker to easily track fitness data
- Enjoy extra time in your days thanks to the Pairing feature

Source: https://www.mysugr.com/en-us/diabetes-app/

Source: https://www.mysugr.com/en-us/diabetes-app/ (annotated)

Exhibit 4 to the Complaint.

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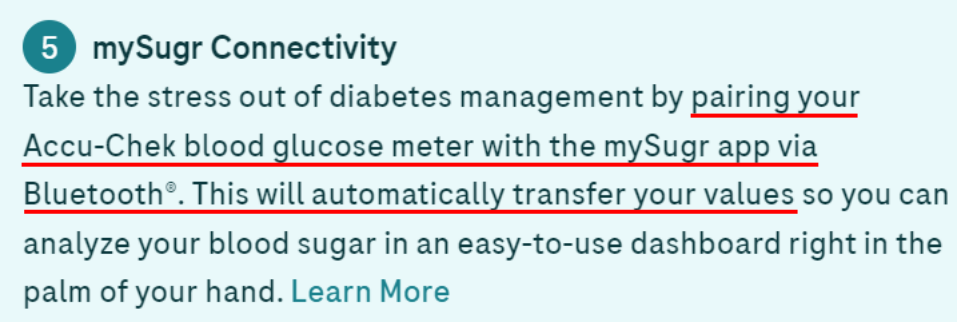
| | Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [20] The media system of claim 12, wherein the at least one media file is provided by the wireless mobile device. | Company makes, uses, sells and/or offers to sell at least one media file is provided by the wireless mobile device.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the Accu-Chek Guide ("wireless mobile device") sends the measured blood sugar levels ("at least one media file") to the mySugr app installed on the user's smartphone.<br><br>  <br><br>Source: https://www.accu-chek.com/products/meters/guide |

Exhibit 4 to the Complaint.

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| | **Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that<br>1. utilizes Bluetooth low energy technology,<br>2. it is paired with, and<br>3. has an application that can accept the meter data.<br>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70 |

Exhibit 4 to the Complaint.

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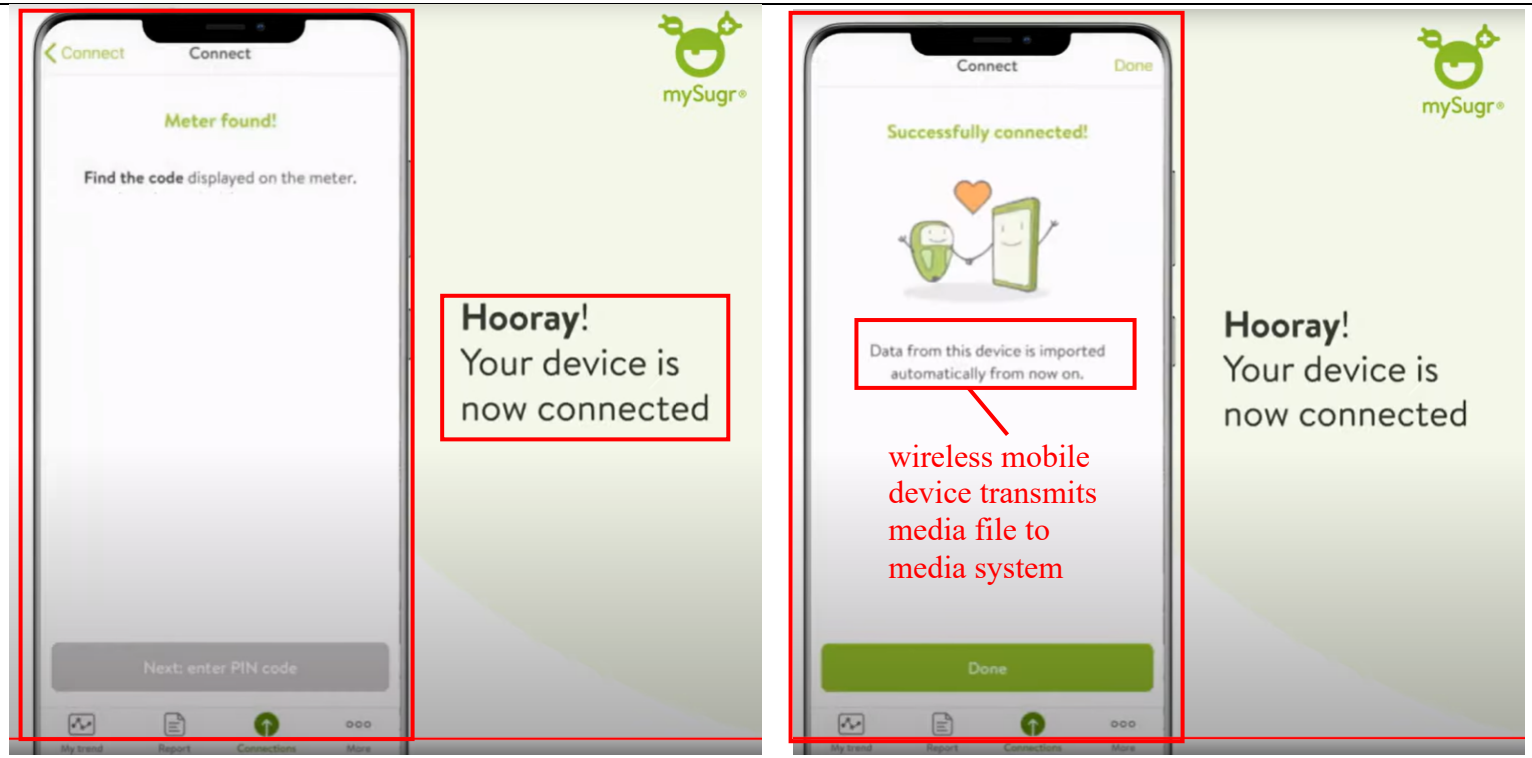
| | **How can I transfer Accu-Chek meter data to mySugr?** ^<br><br>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.<br><br>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:<br><br>1. If you are using an Apple device, make sure Bluetooth® is turned on.<br><br>a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.<br><br>2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)<br>3. Open the mySugr app and go to the “Connections” tab in the bar menu located at the bottom of the screen.<br>4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.<br>5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.<br>6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<br><br>Source: https://www.accu-chek.com/support/products/guide |

Exhibit 4 to the Complaint.




Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:38, 0:40 (annotated)

Exhibit 4 to the Complaint.

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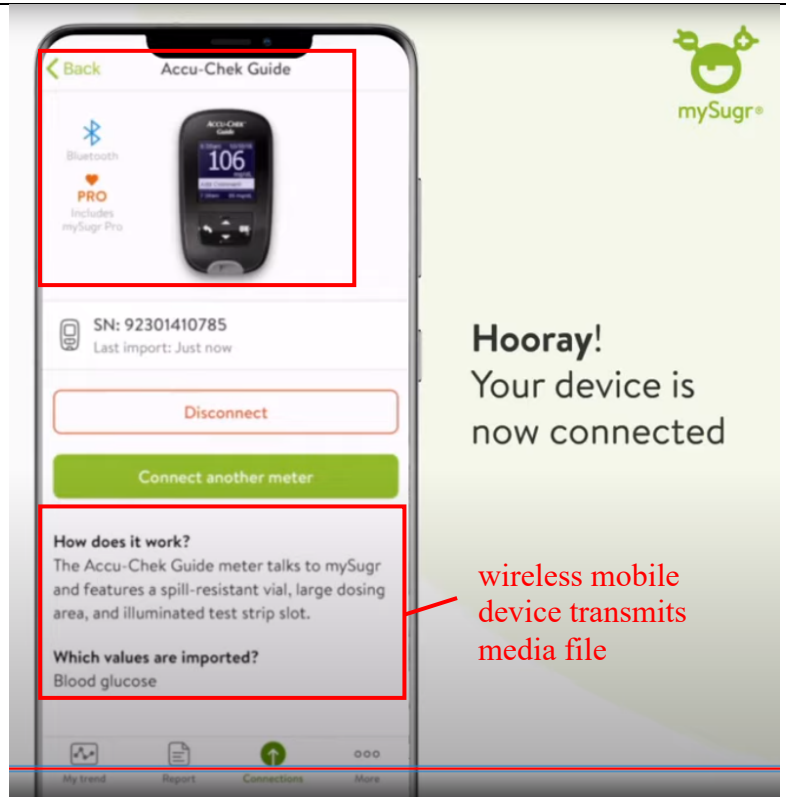
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43 (annotated)<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [22.P] A method of transferring a media file from a wireless | Roche Diagnostics Corporation ("Company") performs and/or induces others to perform a method of transferring a media file from a wireless mobile device to a media system over a communication network, the media system including a security measure.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents. |

Exhibit 4 to the Complaint.

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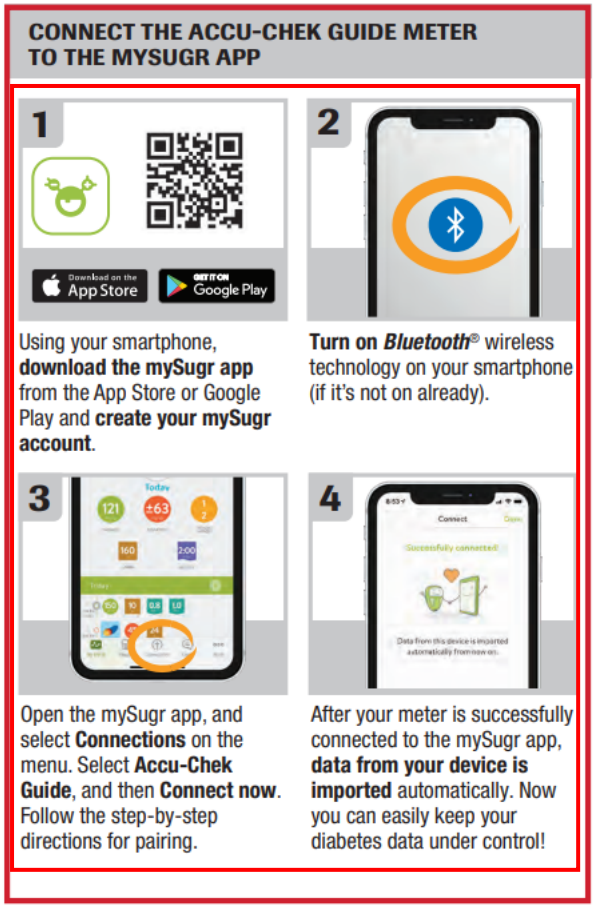
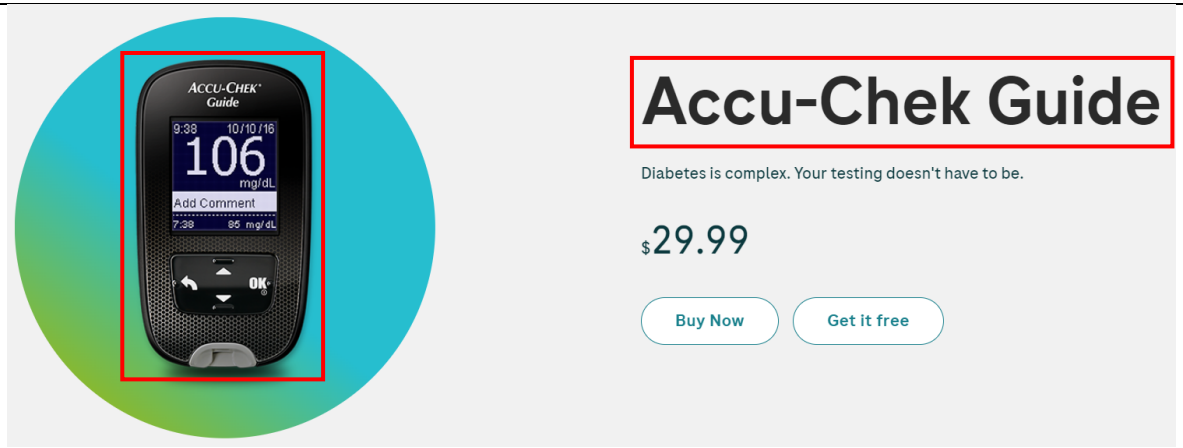
| mobile device to a media system over a communication network, the media system including a security measure, comprising: | For example, Company provides mySugr app (“media system”) to receive measured blood sugar levels from a Accu-Chek Guide meter (“wireless mobile device”). The mySugr app, installed on the user's smartphone, receive the measured blood sugar levels from the Accu-Chek Guide, using a Bluetooth network (“communication network”). The mySugr app, initially require users to input a PIN (“security measure”) which is necessary during the initial pairing process with the Accu-Chek Guide, and thereafter, the devices automatically exchange data without requiring users to re-enter the PIN.<br><br>Easy Connection With Blood Sugar Meters ^<br><br>Automatically transfer your values to the mySugr app via Bluetooth and analyze them with one click to identify your patterns more quickly.<br><br>Source: https://www.mysugr.com/en-us/ |

Exhibit 4 to the Complaint.

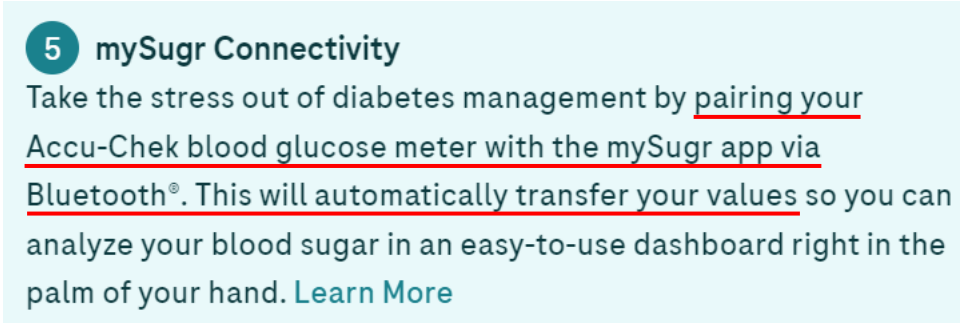



Source: https://www.accu-chek.com/document/accu-chek-guide-quick-start-guide-2/download, Page 1 of 2

Exhibit 4 to the Complaint.




Source: https://www.accu-chek.com/products/meters/guide




Source: https://www.accu-chek.com/products/meters/guide

Exhibit 4 to the Complaint.

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| | **Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that<br>1. utilizes Bluetooth low energy technology,<br>2. it is paired with, and<br>3. has an application that can accept the meter data.<br>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70 |

Exhibit 4 to the Complaint.

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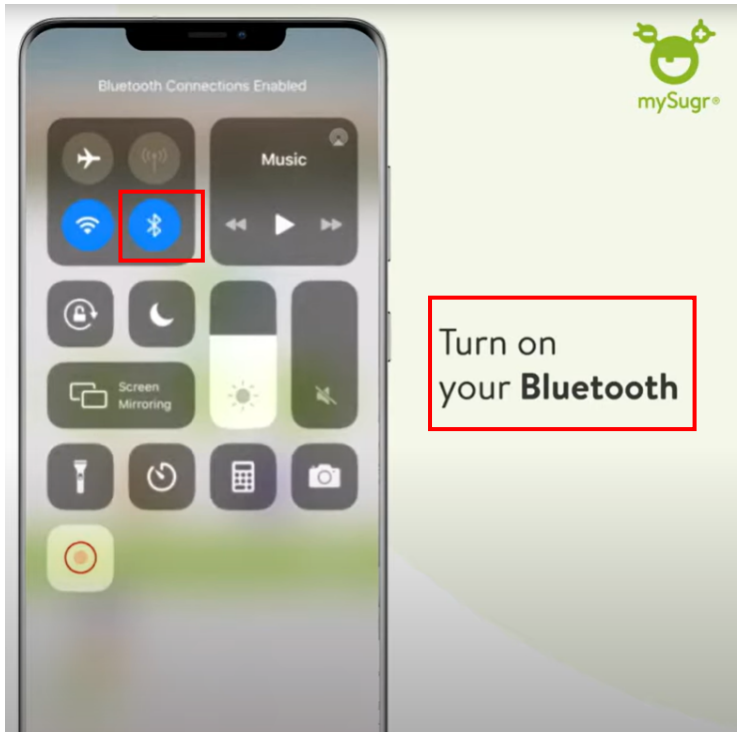
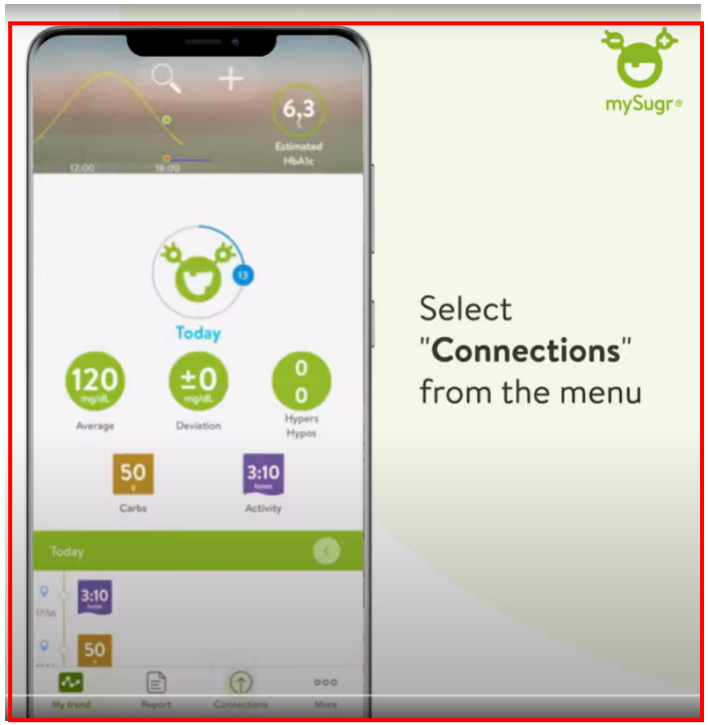
|---|---|
| | **How can I transfer Accu-Chek meter data to mySugr?** ^<br><br>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.<br><br>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:<br><br>1. If you are using an Apple device, make sure Bluetooth® is turned on.<br><br>a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.<br><br>2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)<br>3. Open the mySugr app and go to the “Connections” tab in the bar menu located at the bottom of the screen.<br>4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.<br>5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.<br>6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<br><br>Source: https://www.accu-chek.com/support/products/guide |

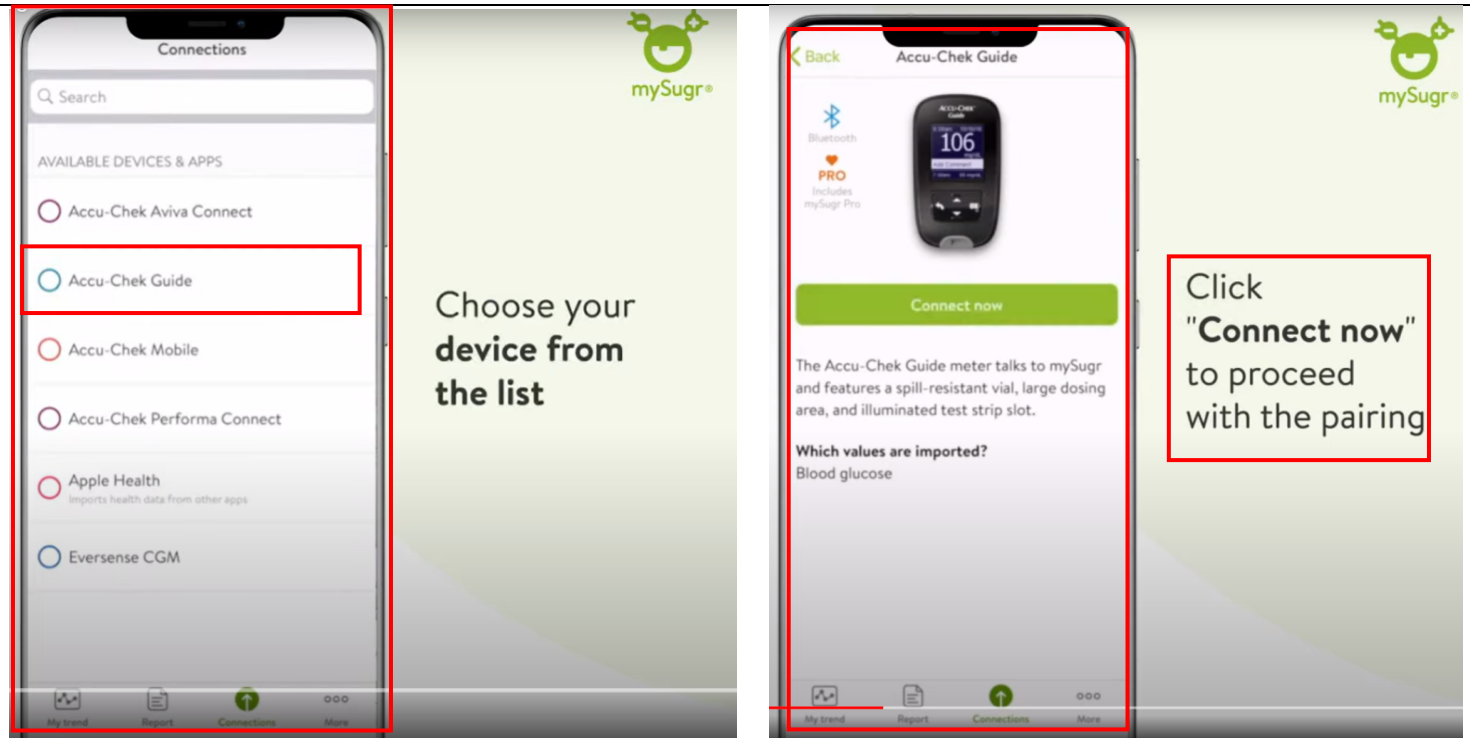
Exhibit 4 to the Complaint.



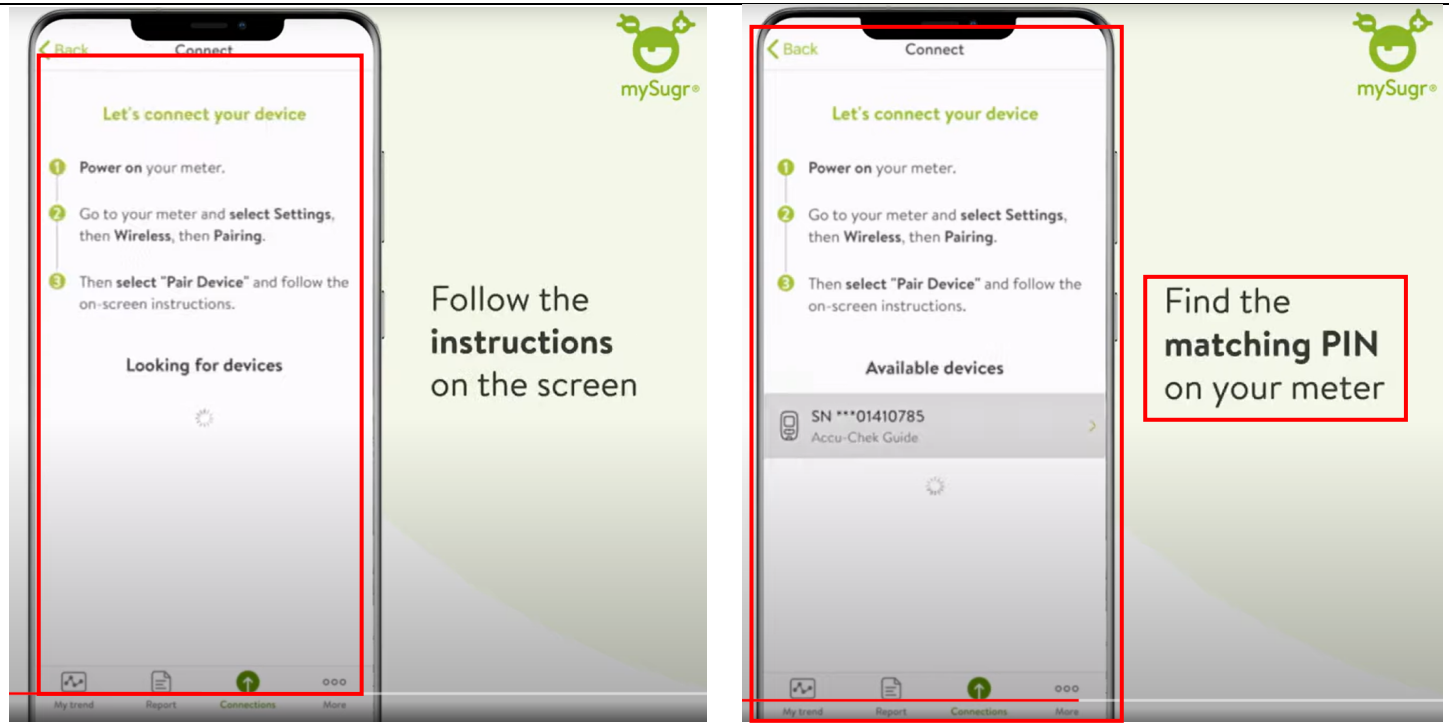

Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:07, 0:09

Exhibit 4 to the Complaint.



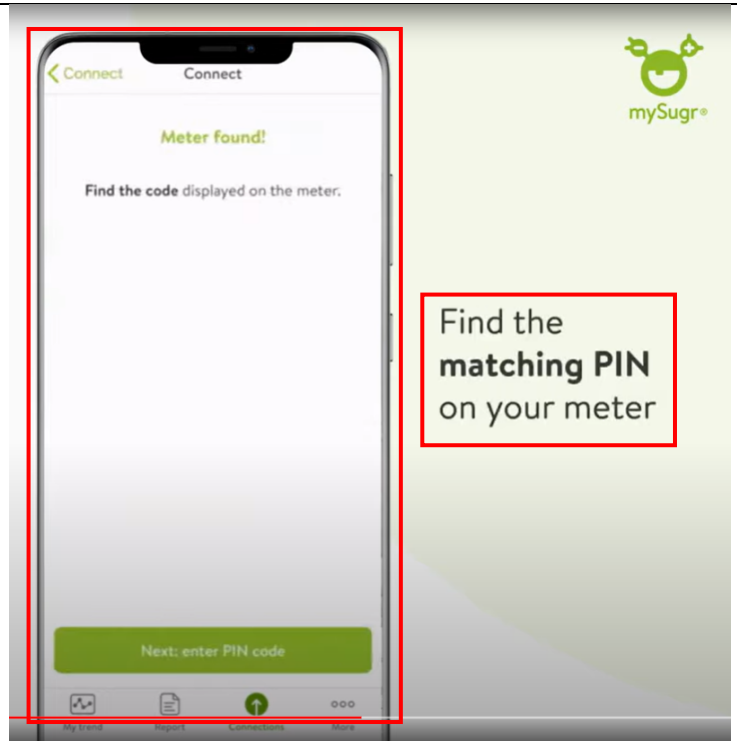

Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:12, 0:17

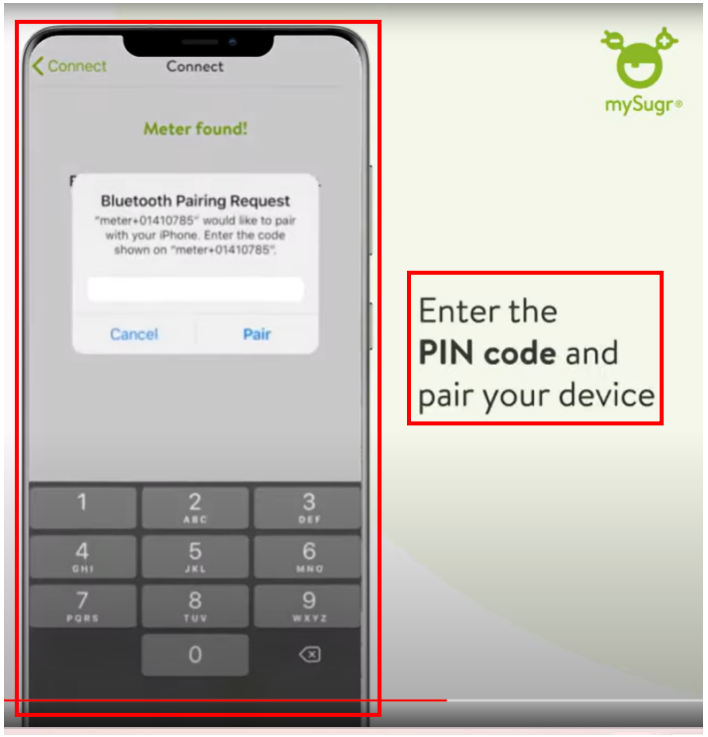
Exhibit 4 to the Complaint.




Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:19, 0:25

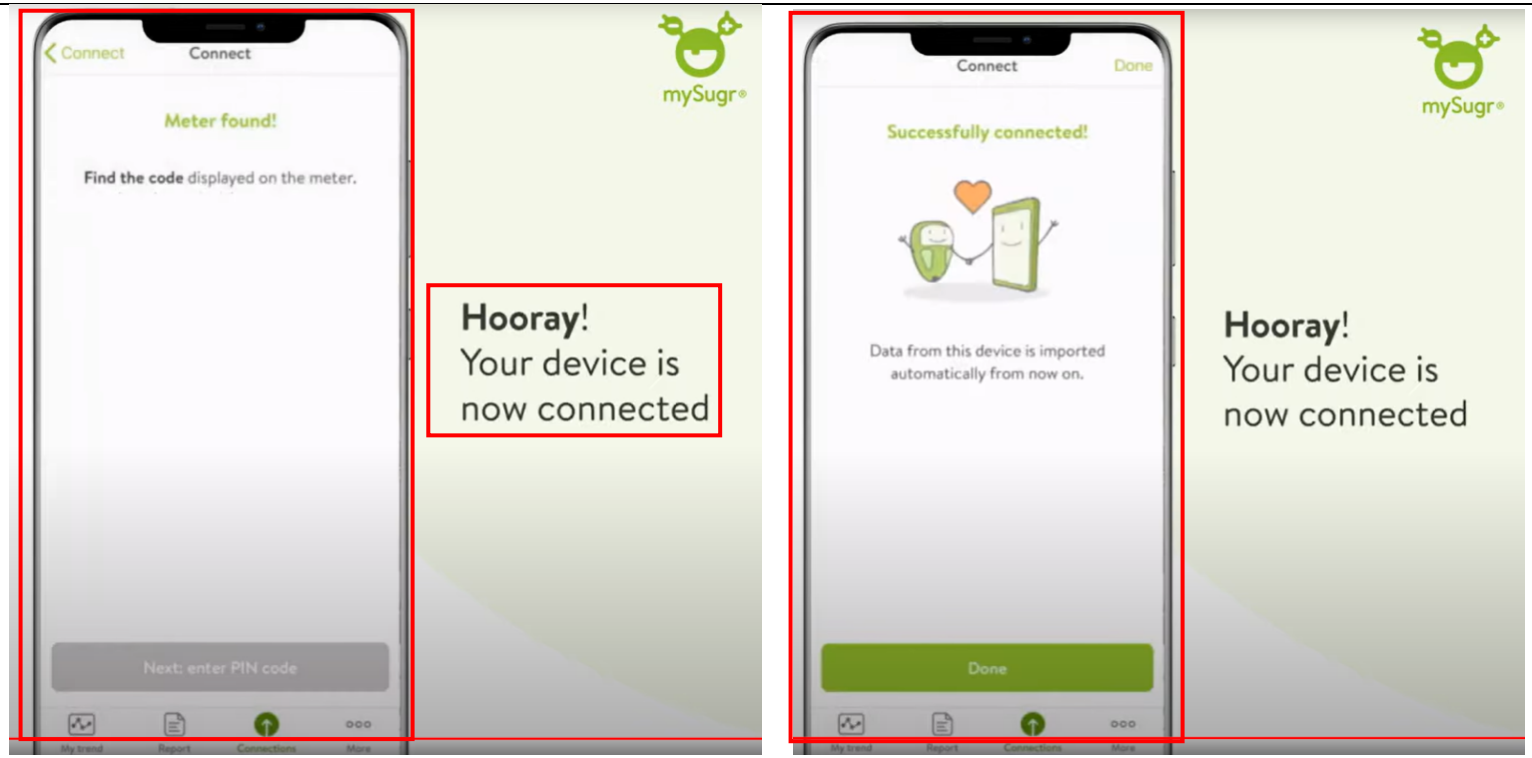
Exhibit 4 to the Complaint.




Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:26, 0:29

Exhibit 4 to the Complaint.




Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:38, 0:40

Exhibit 4 to the Complaint.

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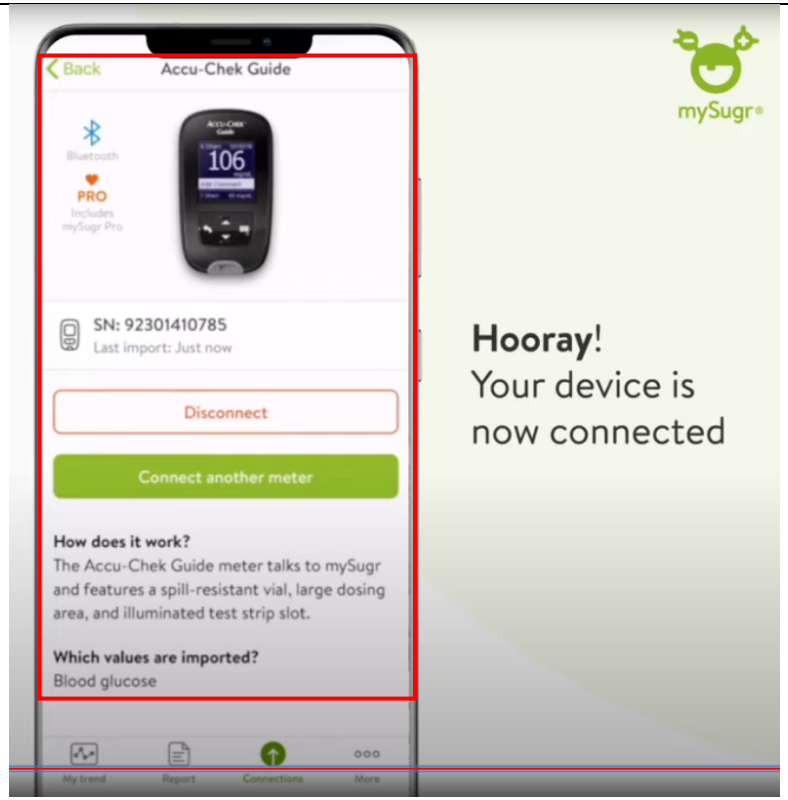
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [22.1] disposing the media system in an accessible relation to at | Company performs and/or induces others to perform the step of disposing the media system in an accessible relation to at least one interactive computer network that has a wireless range structured to permit authorized access to said at least one interactive computer network, wherein the wireless mobile device within said wireless range, wherein said wireless mobile device is detectable by said media system.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents. |

Exhibit 4 to the Complaint.

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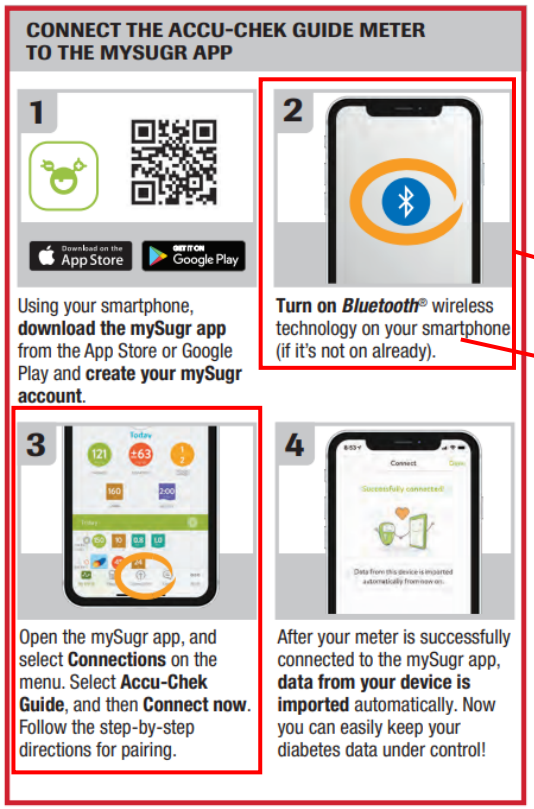
| least one interactive computer network that has a wireless range structured to permit authorized access to said at least one interactive computer network, wherein the wireless mobile device within said wireless range, wherein said wireless mobile device is detectable by said media system, | For example, the mySugr app, installed on the user's smartphone ("media system") receives the blood sugar levels from the Accu-Chek Guide (“wireless mobile device”) using Bluetooth network ("interactive computer network"). The Accu-Chek Guide and the smartphone, on which the mySugr app is installed, are paired with each other using the Bluetooth network. The pairing process requires the user to input PIN and enables (“permit authorized access”) the Accu-Chek Guide to send the measured blood sugar levels to the mySugr app. The mySugr app detects the Accu-Chek Guide which is in the Bluetooth range (“detectable by said media system”). Since, the smartphone communicates and receives data from the Accu-Chek Guide using Bluetooth, it is apparent for a person having ordinary skills in the art that, the media system disposed in an accessible relation to at least one interactive computer network that has a wireless range structured to permit authorized access to at least one interactive computer network. |

Exhibit 4 to the Complaint.




Source: https://www.accu-chek.com/document/accu-chek-guide-quick-start-guide-2/download, Page 1 of 2 (annotated)

Exhibit 4 to the Complaint.

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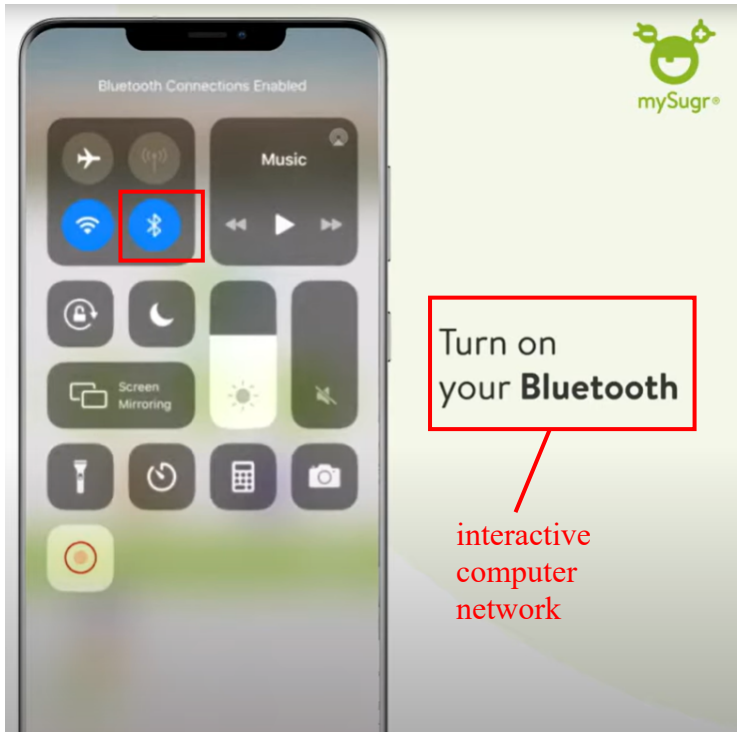
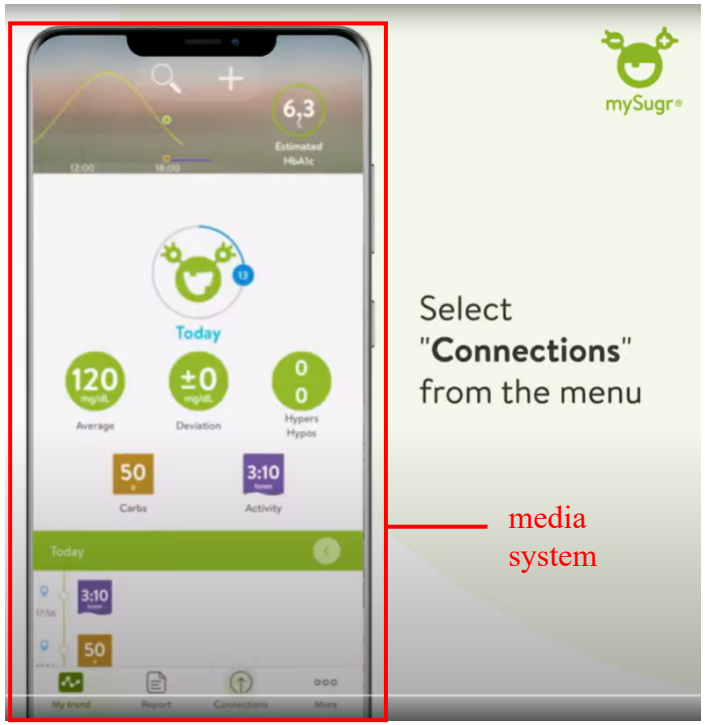
| | **1 Personalized logging screen**<br>Organize the app the way it suits you better. Remove or add fields depending on your therapy needs.<br><br>**2 mySugr Analytics**<br>The analytics dashboard in the mySugr app provides you with an overview of your recorded blood sugars to help you identify patterns, allowing you to identify areas where your management could be optimized.<br><br>**3 Data Reports & Sharing**<br>mySugr Reports compile your data for easy printing or digital sharing. You can access and download your data anytime, anywhere and feel free to share your reports with your family, caregivers, and healthcare team for accountability and support.<br><br> <br><br>Source: https://www.accu-chek.com/products/mysugr (annotated) |

Exhibit 4 to the Complaint.




Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:07, 0:09 (annotated)

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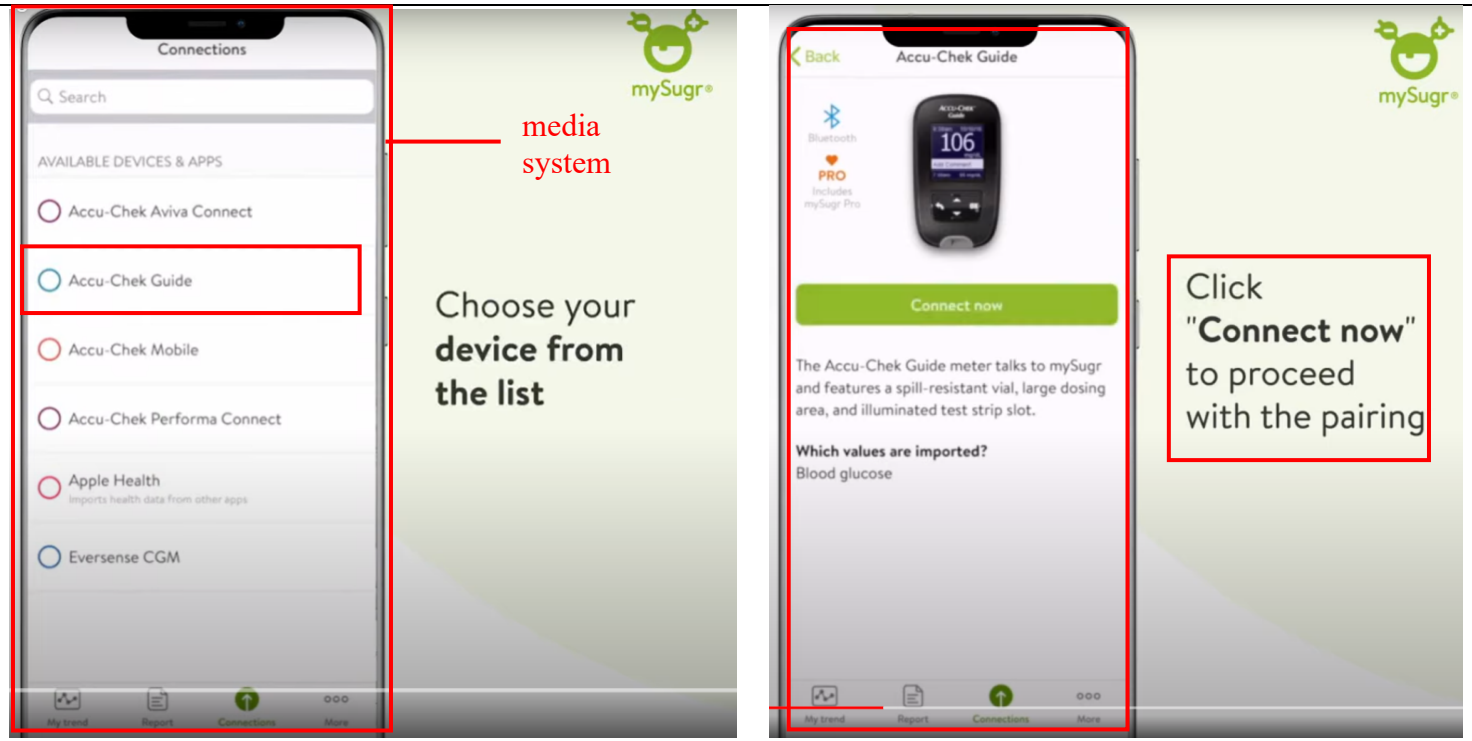


Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:12, 0:17 (annotated)

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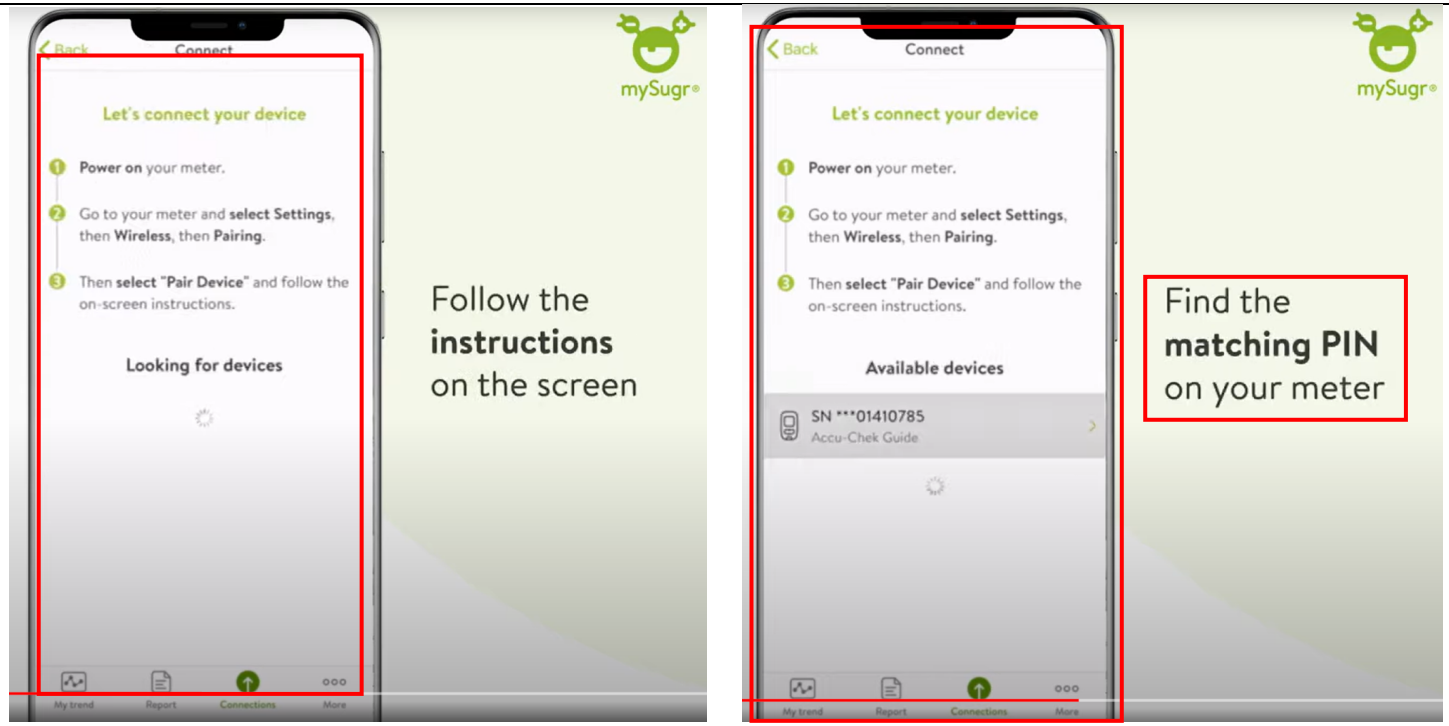


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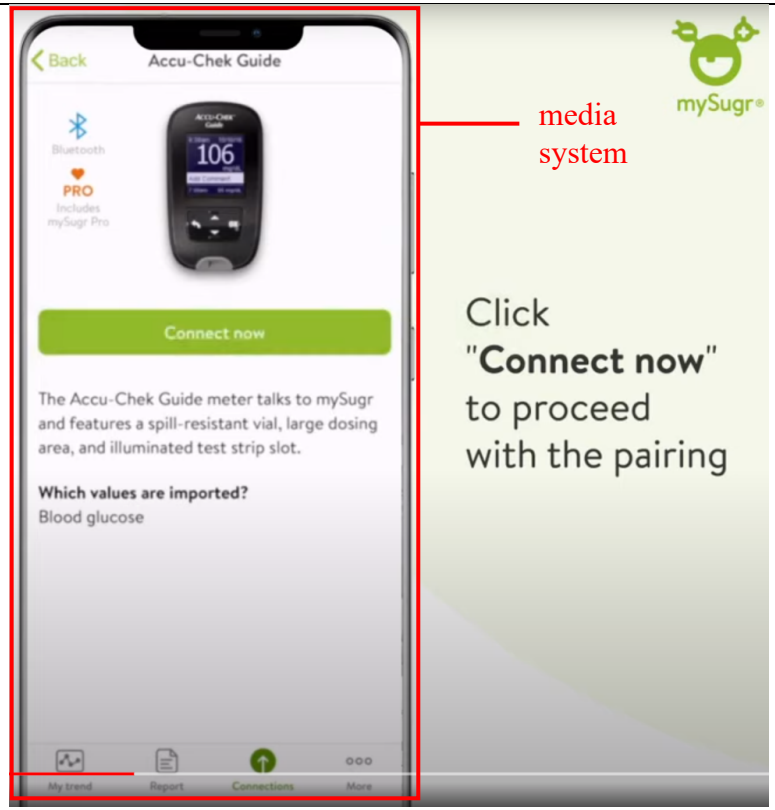
Exhibit 4 to the Complaint.




Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:17 (annotated)

Exhibit 4 to the Complaint.

**How can I transfer Accu-Chek meter data to mySugr?**

Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.

Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:

1. If you are using an Apple device, make sure Bluetooth® is turned on.

a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.

2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)
3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.
4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.
5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.
6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen

Source: https://www.accu-chek.com/support/products/guide

Exhibit 4 to the Complaint.

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| | Other<br>• receive data from Internet<br>• view network connections<br>• pair with Bluetooth devices<br>• access Bluetooth settings<br>• full network access<br>• run at startup<br>• control vibration<br>• prevent device from sleeping<br>Source: https://play.google.com/store/apps/details?id=com.mysugr.android.companion<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [22.2] initially disposing at least one digital media file on the wireless mobile device, said media system being structured to detect said wireless mobile device disposed | Company performs and/or induces others to perform the step of initially disposing at least one digital media file on the wireless mobile device, said media system being structured to detect said wireless mobile device disposed within said wireless range.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the Accu-Chek Guide meter measures the blood sugar levels ("digital media file"). These measured blood sugar levels are saved in the Accu-Chek Guide meter ("initially disposing at least one digital media file on the wireless mobile device"). The mySugr app installed in the user's smartphone detects ("media system being structured to detect said wireless mobile device") the Accu-Chek Guide meter which are in its Bluetooth range and establishes a connection (gets paired). |

Exhibit 4 to the Complaint.

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| within said wireless range, | **The Accu-Chek Guide System**<br>The Accu-Chek Guide blood glucose monitoring system is comprised of the Accu-Chek Guide meter and the Accu-Chek Guide test strips.<br>The Accu-Chek Guide blood glucose monitoring system is intended to quantitatively measure glucose in fresh capillary whole blood from the fingertip, palm, and upper arm as an aid in monitoring the effectiveness of glucose control.<br>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 2 of 70 |

Exhibit 4 to the Complaint.

**Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that

1. utilizes Bluetooth low energy technology,
2. it is paired with, and
3. has an application that can accept the meter data.

wireless mobile device

Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70 (annotated)

**5 mySugr Connectivity**

Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More

Source: https://www.accu-chek.com/products/meters/guide

Exhibit 4 to the Complaint.

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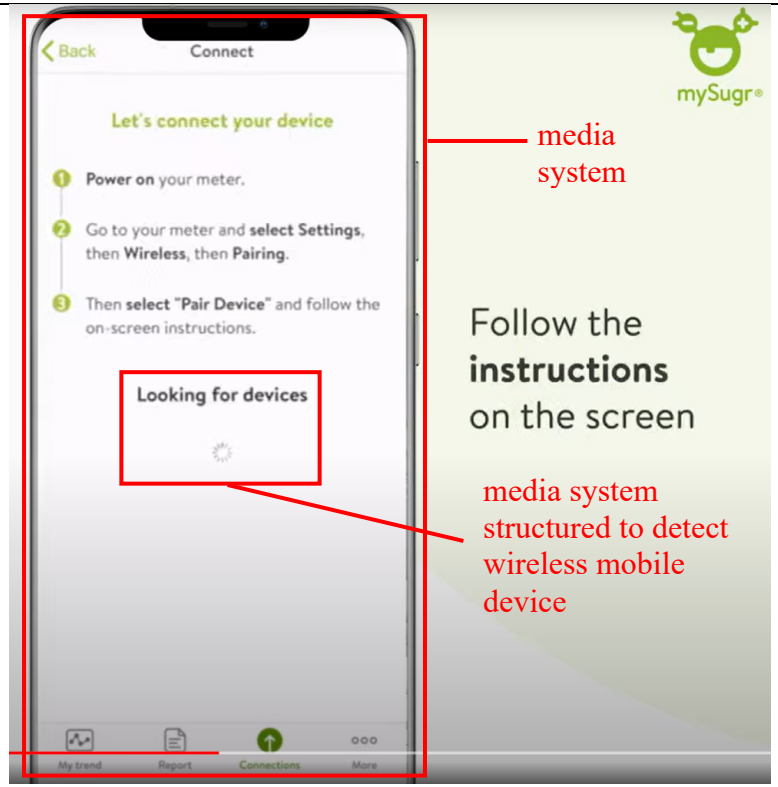
| | **How can I transfer Accu-Chek meter data to mySugr?** ^<br><br>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.<br><br>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:<br><br>1. If you are using an Apple device, make sure Bluetooth® is turned on.<br><br>a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.<br><br>2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)<br>3. Open the mySugr app and go to the “Connections” tab in the bar menu located at the bottom of the screen.<br>4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.<br>5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.<br>6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<br><br>Source: https://www.accu-chek.com/support/products/guide |

Exhibit 4 to the Complaint.




Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:19 (annotated)

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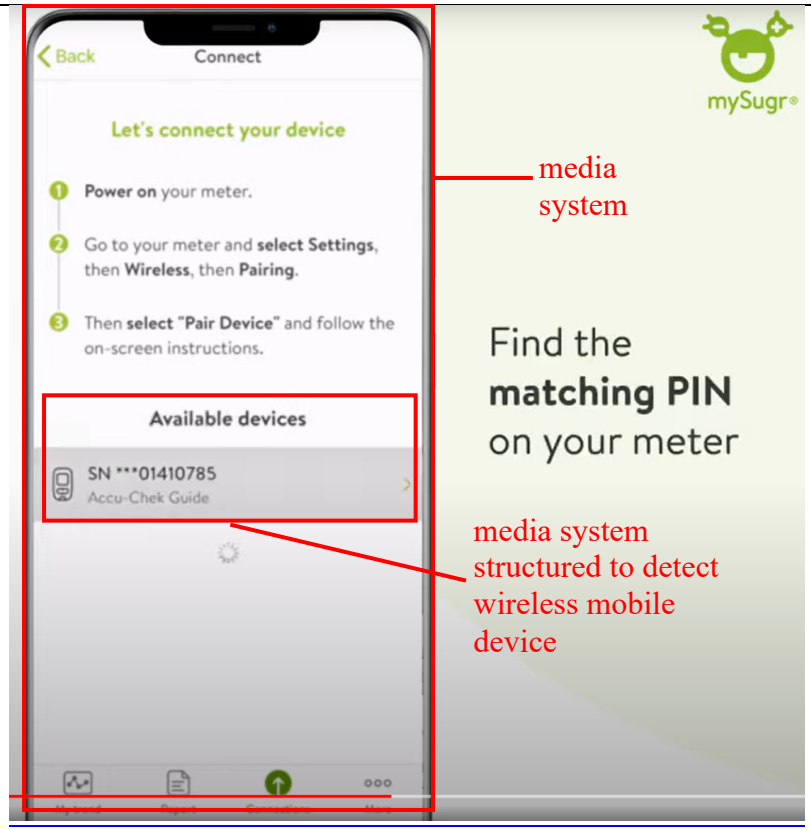
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:25 (annotated)<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [22.3] structuring a communication link to dispose said media | Company performs and/or induces others to perform the step of structuring a communication link to dispose said media system and said wireless mobile device in a communicative relation with one another via said at least one interactive computer network,<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents. |

Exhibit 4 to the Complaint.

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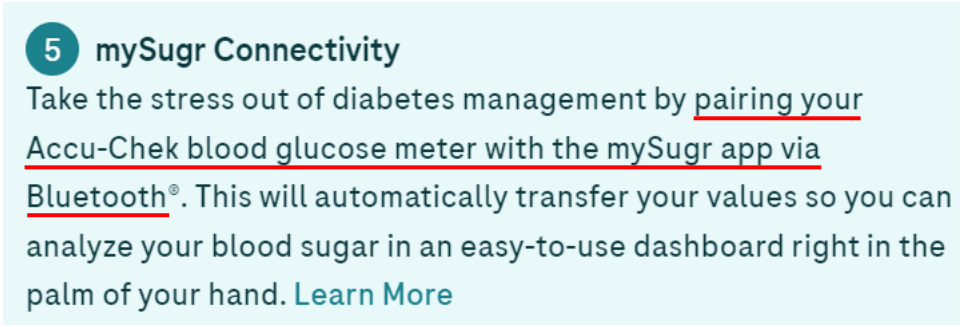
| system and said wireless mobile device in a communicat-ive relation with one another via said at least one interactive computer network, | For example, mySugr app installed on the user's smartphone and Accu-Chek Guide establishes a connection through Bluetooth pairing. This process creates a Bluetooth channel ("structuring a communication link to dispose") between Accu-Chek Guide meter and mySugr app for the transfer of the measured blood sugar levels ("communicative relation with one another via said at least one interactive computer network").<br><br>  <br><br>Source: https://www.accu-chek.com/products/meters/guide |

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| | **Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that<br>1. utilizes Bluetooth low energy technology,<br>2. it is paired with, and<br>3. has an application that can accept the meter data.<br>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70 |

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| | **How can I transfer Accu-Chek meter data to mySugr?** ^<br><br>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.<br><br>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:<br><br>1. If you are using an Apple device, make sure Bluetooth® is turned on.<br><br>a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.<br><br>2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)<br>3. Open the mySugr app and go to the “Connections” tab in the bar menu located at the bottom of the screen.<br>4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.<br>5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.<br>6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<br><br>Source: https://www.accu-chek.com/support/products/guide |

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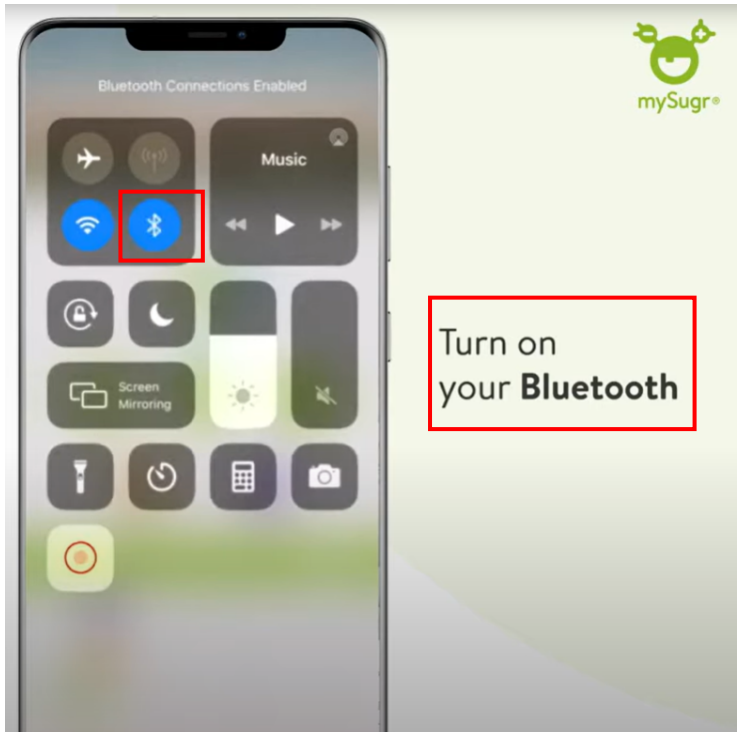


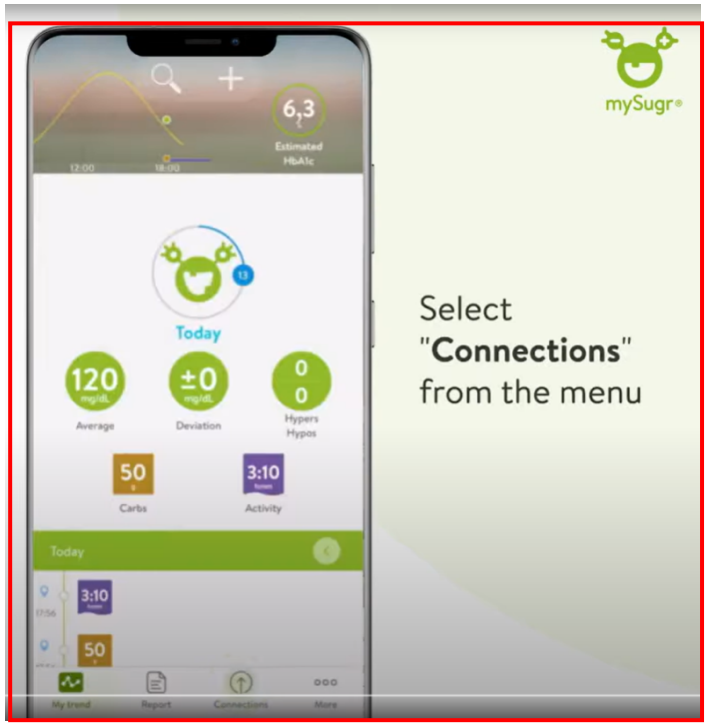


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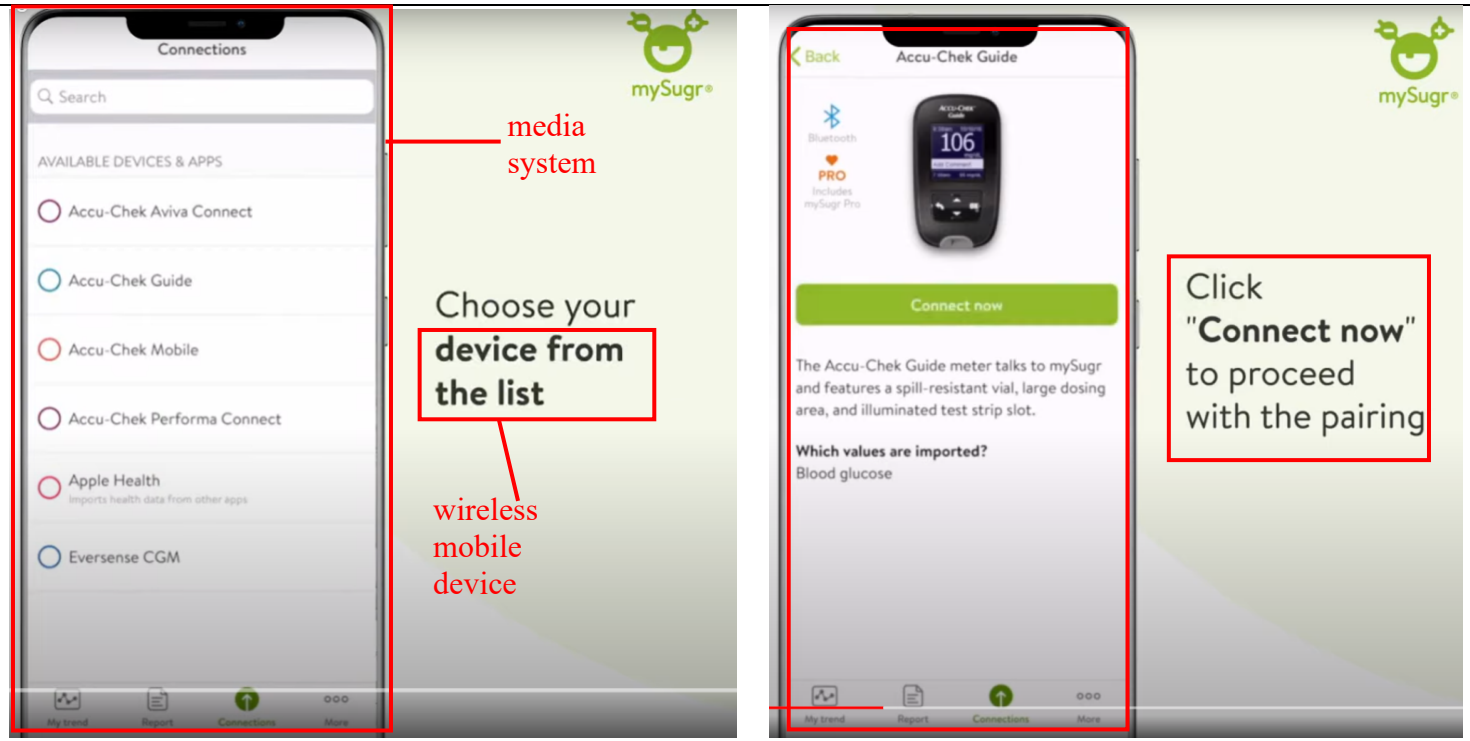


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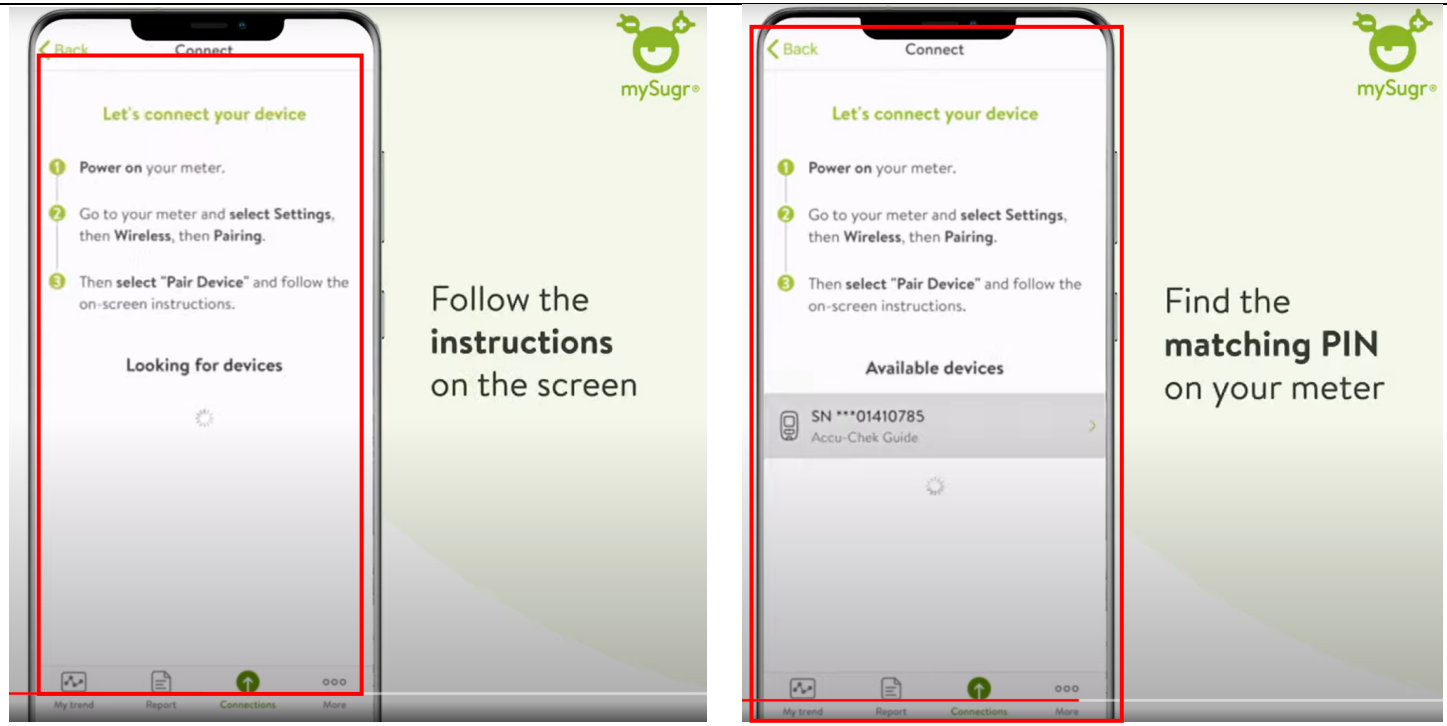


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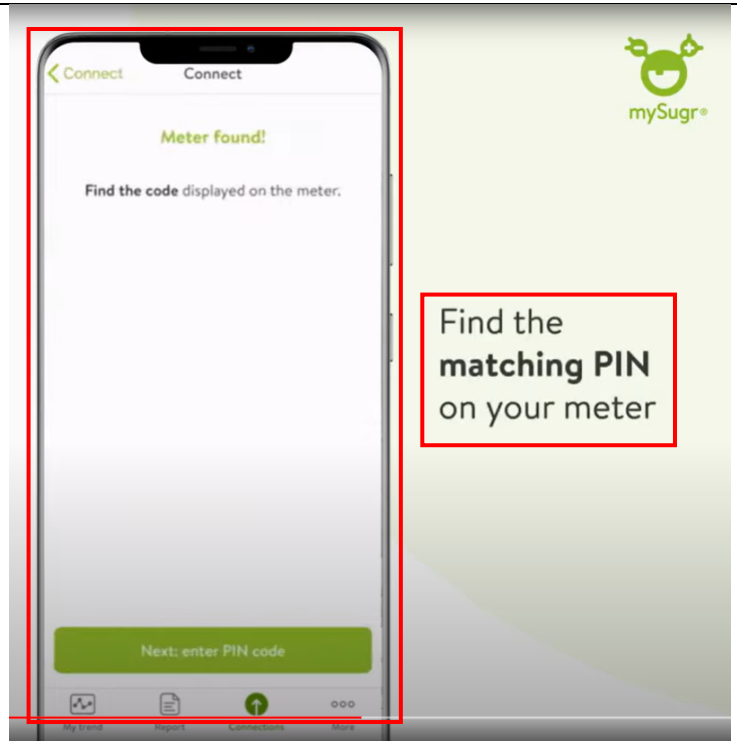


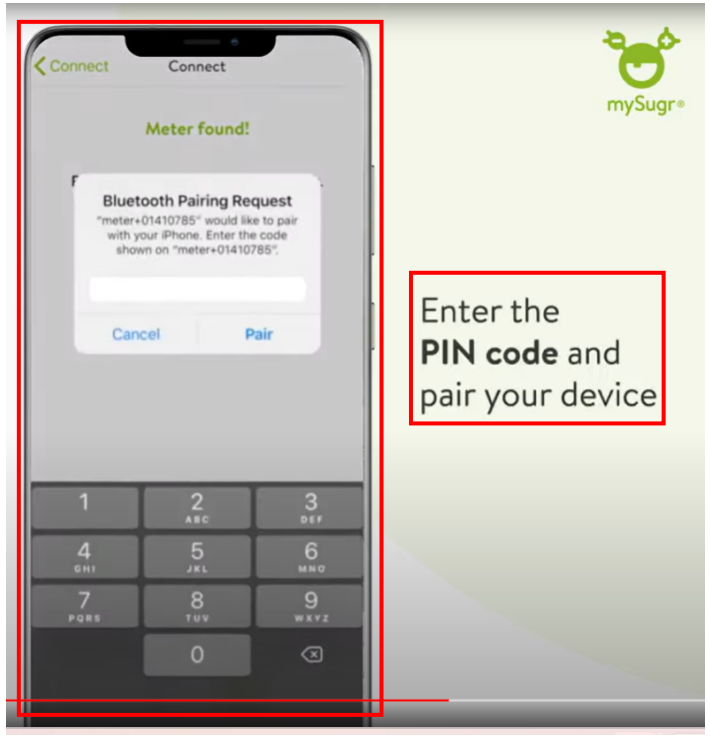


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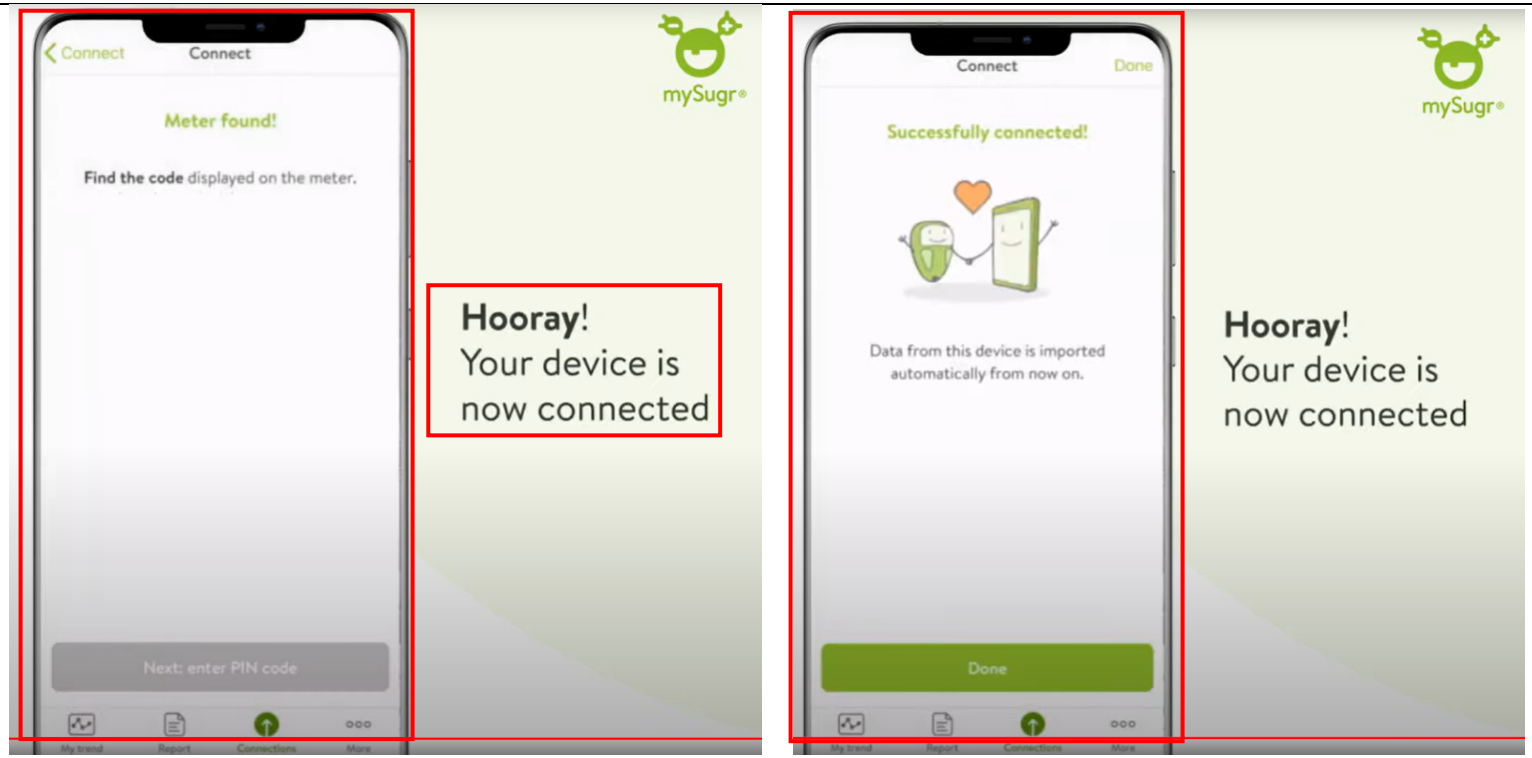


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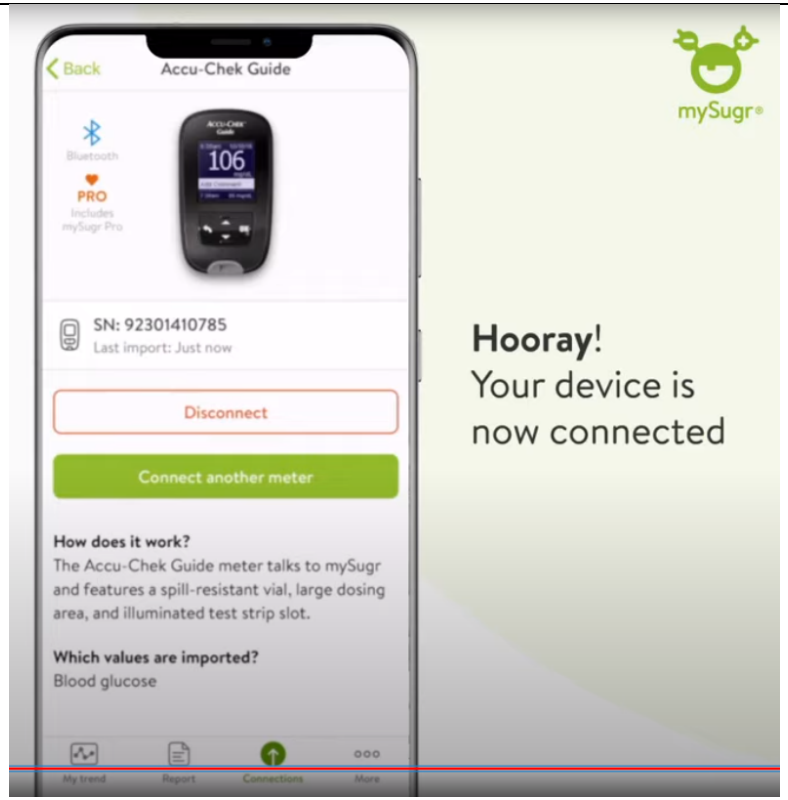
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [22.4] initiating said communication link by said media system, | Company performs and/or induces others to perform the step of initiating said communication link by said media system.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the mySugr app, installed on the smartphone, initiates Bluetooth pairing to establish the communication channel with the Accu-Chek Guide. |

Exhibit 4 to the Complaint.

**How can I transfer Accu-Chek meter data to mySugr?**

Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.

Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:

1. If you are using an Apple device, make sure Bluetooth® is turned on.

a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.

2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)
3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.
4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.
5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.
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Source: https://www.accu-chek.com/support/products/guide

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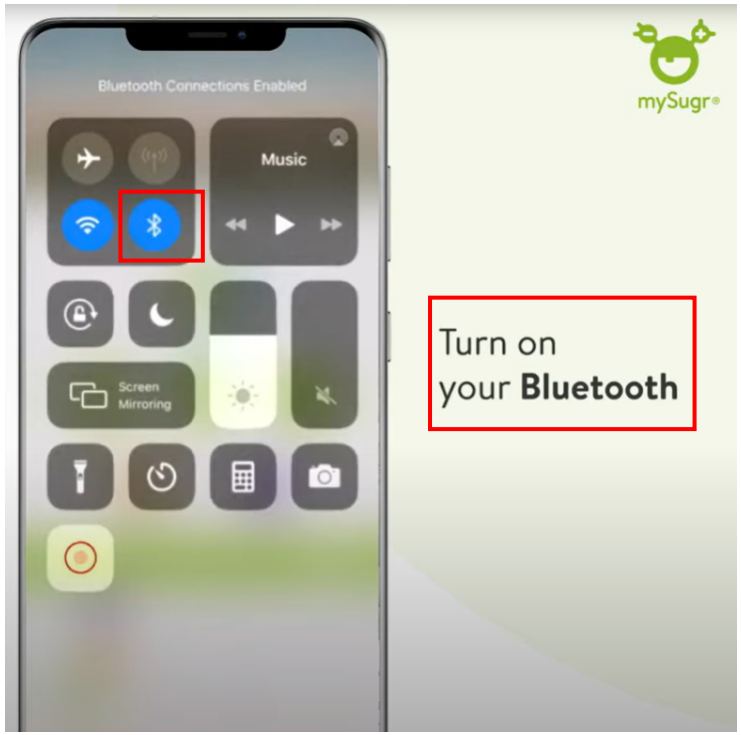


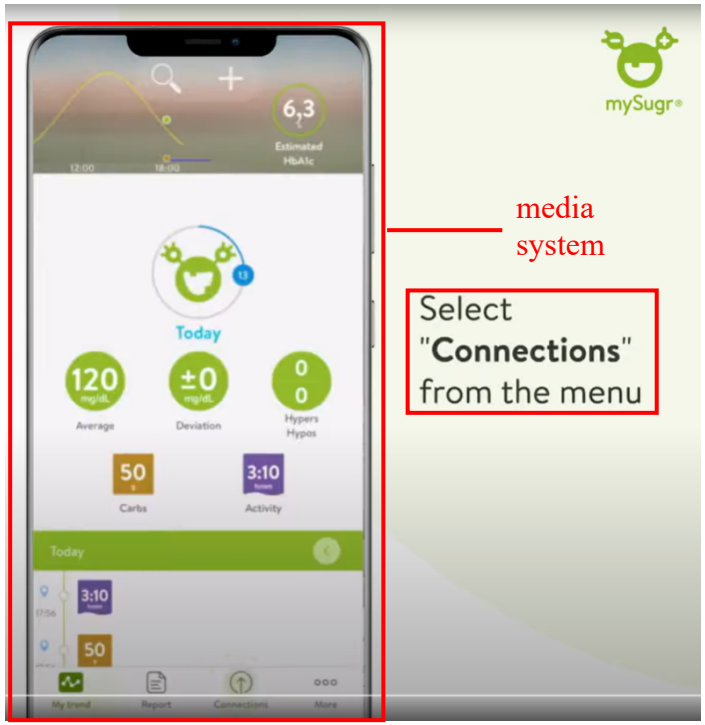


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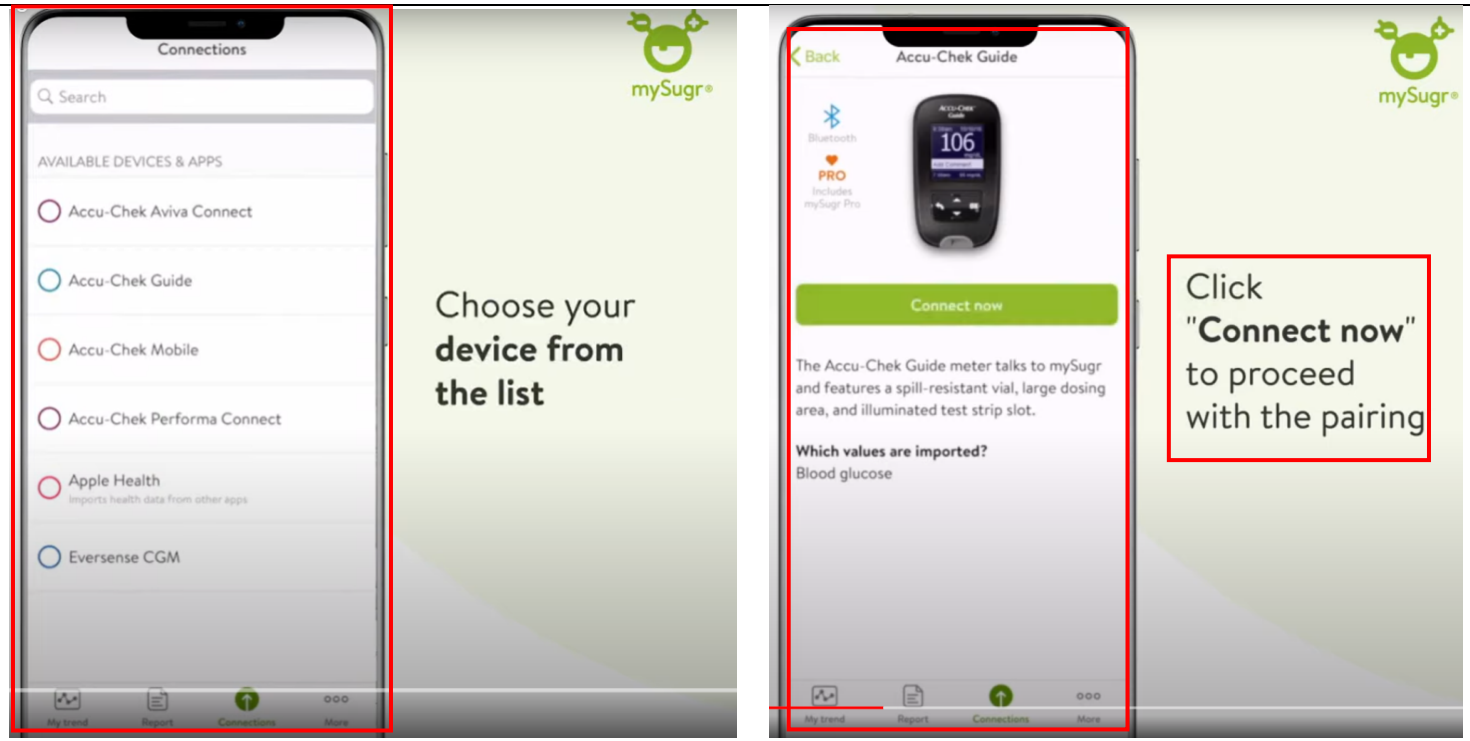


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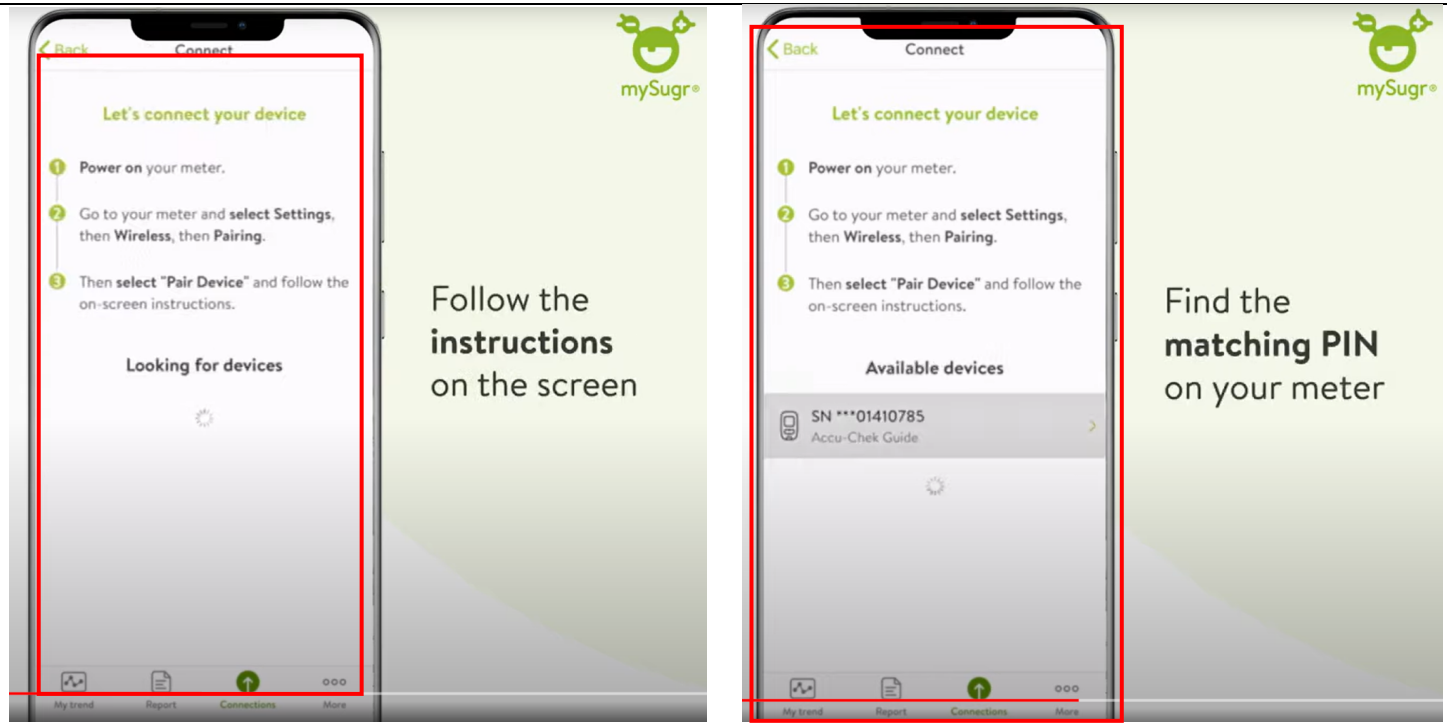


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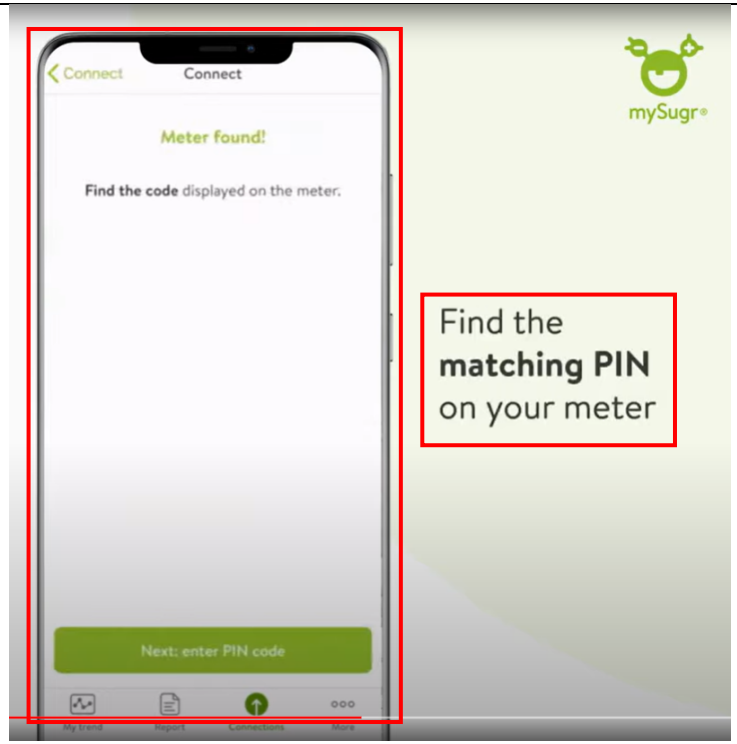


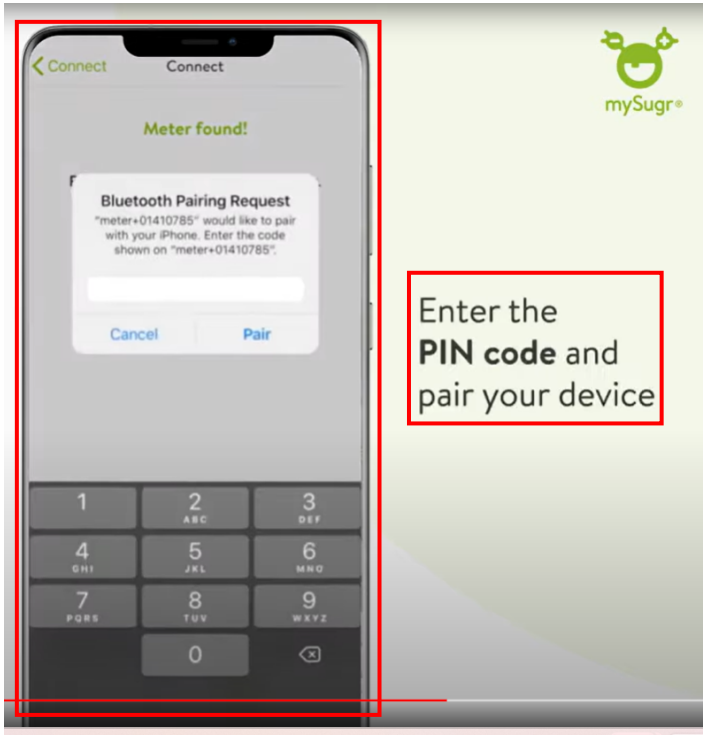


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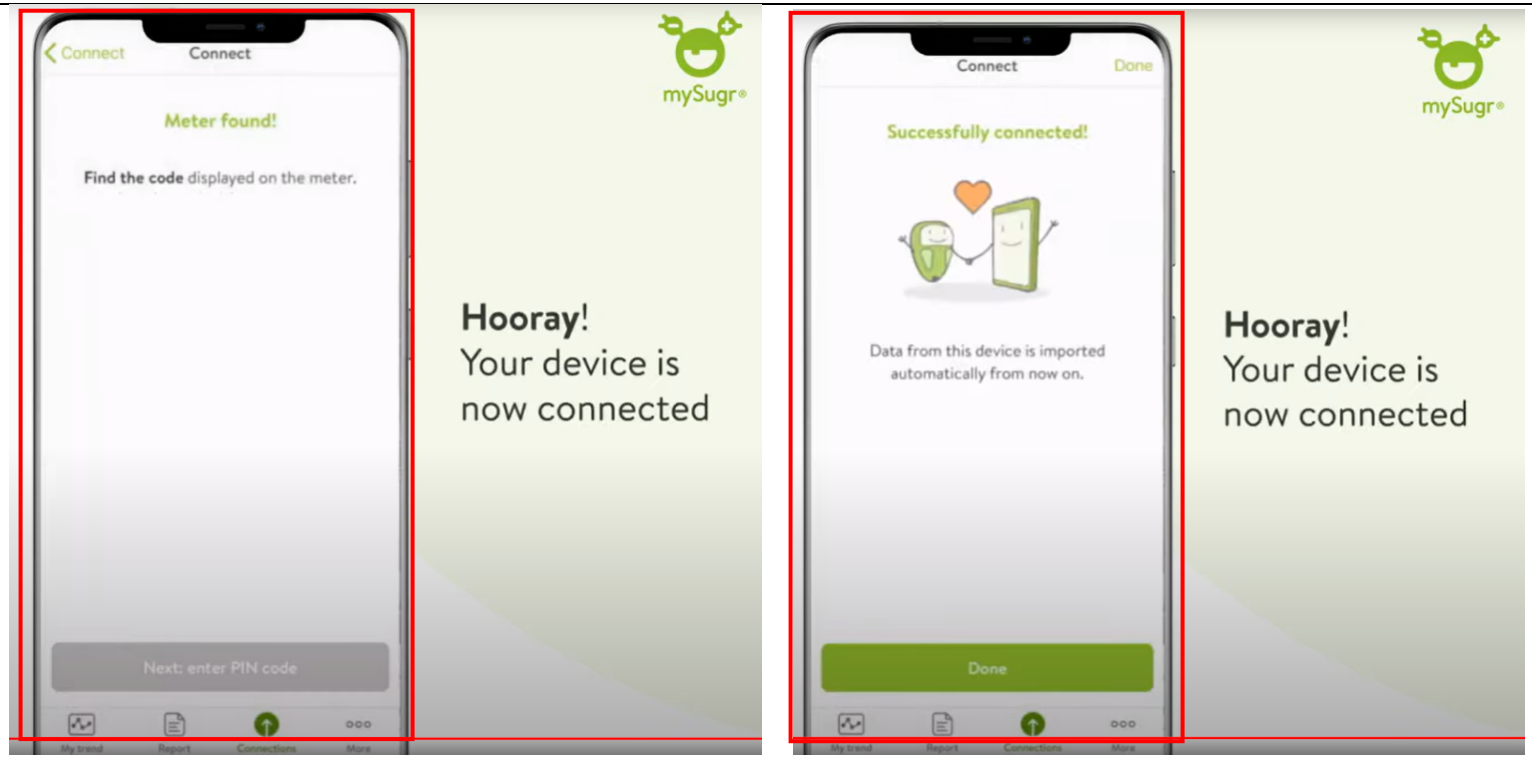


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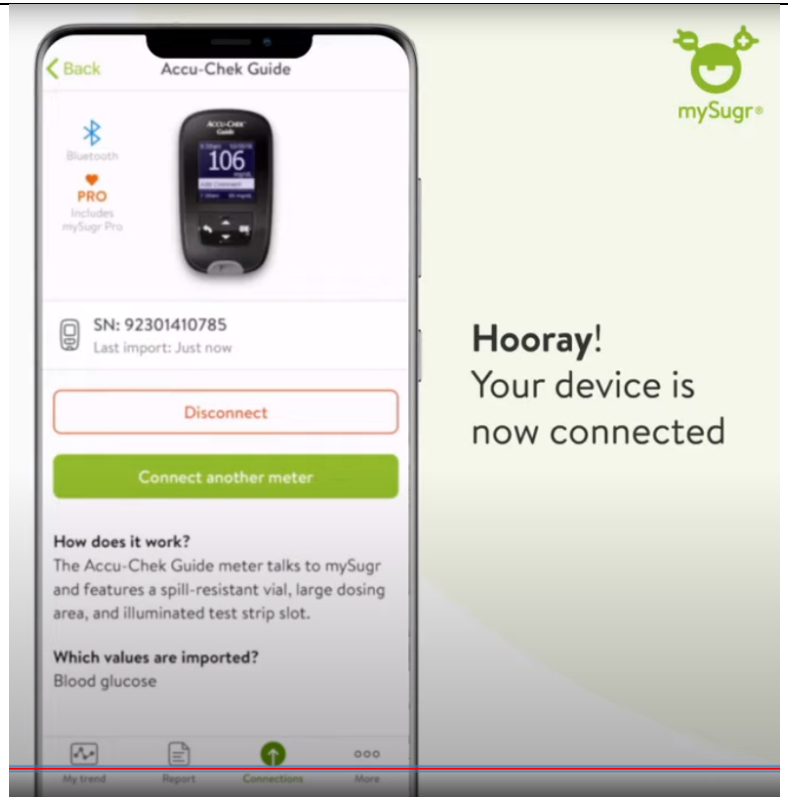
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [22.5] transmitting by said wireless mobile device to the media | Company performs and/or induces others to perform the step of transmitting by said wireless mobile device to the media system said at least one digital media file therebetween via said communication link.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, after establishing a Bluetooth channel ("communication link") between the mySugr app installed on the user's smartphone and the Accu-Chek Guide, the Accu-Chek Guide ("wireless mobile device") sends ("transmitting") |

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| system said at least one digital media file therebetween via said communication link, and | the measured blood sugar levels ("at least one digital media file") to the mySugr app installed on the user's smartphone ("media system").<br><br>**5 mySugr Connectivity**<br>Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More<br>Source: https://www.accu-chek.com/products/meters/guide<br><br>**Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that<br>1. utilizes Bluetooth low energy technology,<br>2. it is paired with, and<br>3. has an application that can accept the meter data.<br>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70 |

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| | **How can I transfer Accu-Chek meter data to mySugr?** ^<br><br>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.<br><br>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:<br><br>1. If you are using an Apple device, make sure Bluetooth® is turned on.<br><br>a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.<br><br>2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)<br>3. Open the mySugr app and go to the “Connections” tab in the bar menu located at the bottom of the screen.<br>4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.<br>5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.<br>6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<br>Source: https://www.accu-chek.com/support/products/guide |

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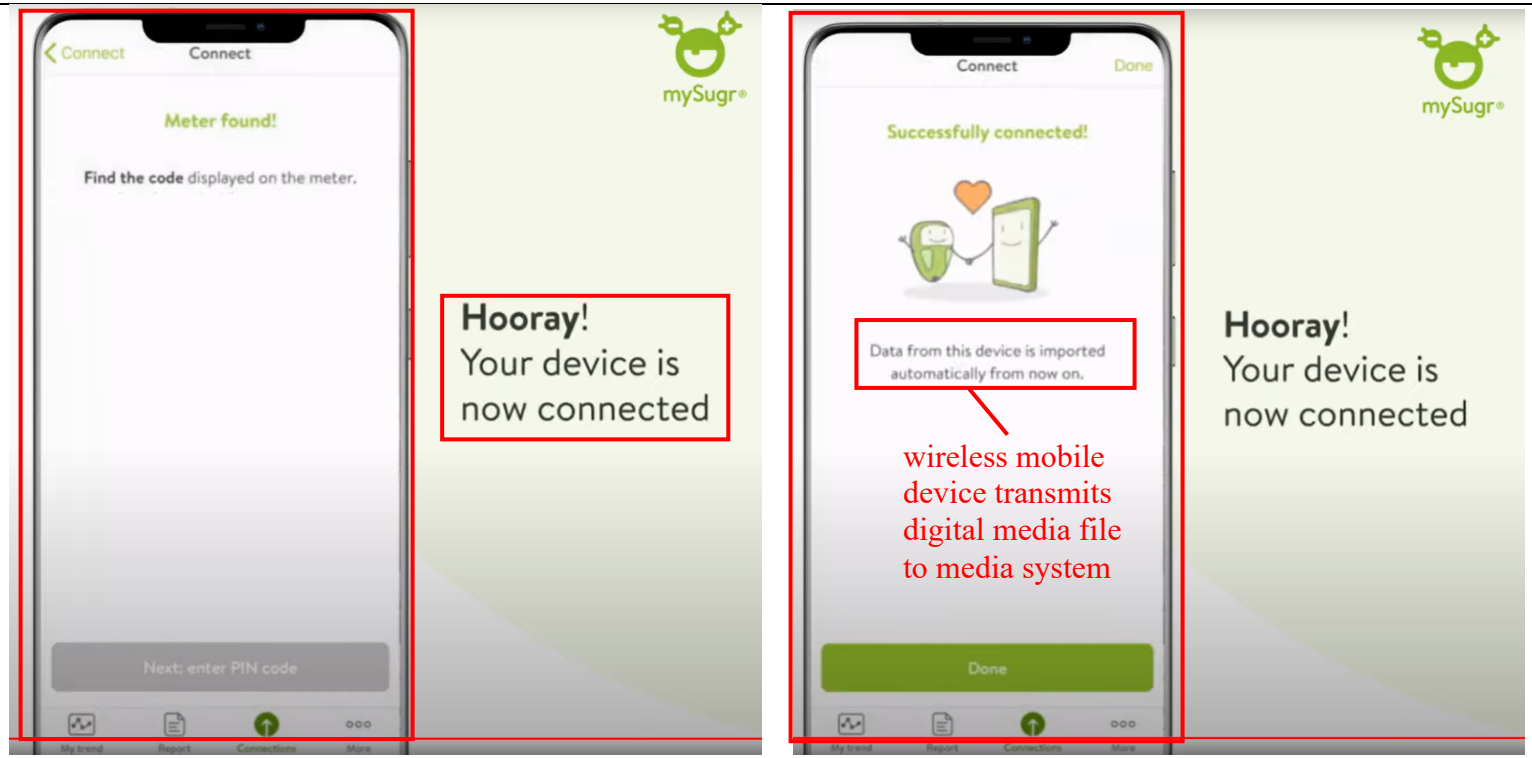


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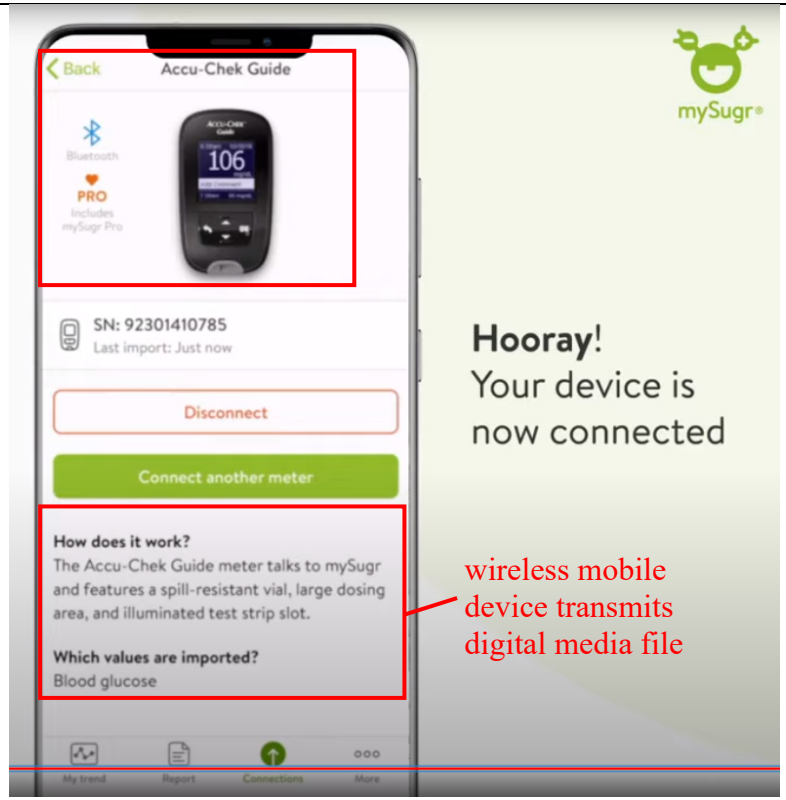
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43 (annotated)<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [22.6] wherein said communication link is structured to bypass | Company performs and/or induces others to perform the step of wherein said communication link is structured to bypass the security measure of the media system for a limited permissible use of the communication link by the wireless mobile device for only transferring the at least one digital media file to, and displaying the at least one digital media file on, the media system.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents. |

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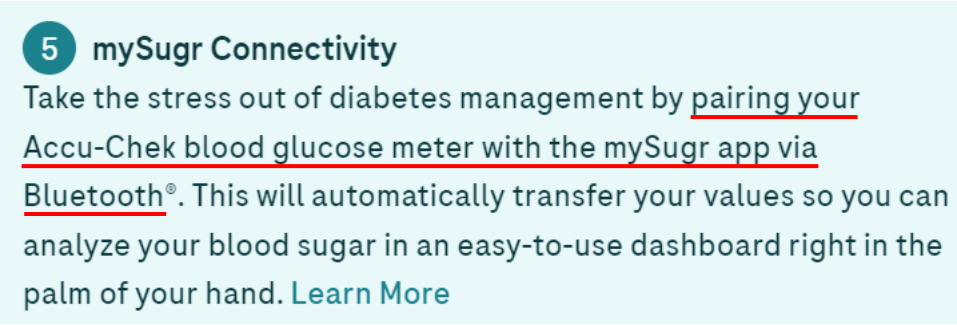
| the security measure of the media system for a limited permissible use of the communication link by the wireless mobile device for only transferring the at least one digital media file to, and displaying the at least one digital media file on, the media system. | For example, the Accu-Chek Guide meter and the mySugr app do not require users to input a PIN ("security measure") every time they communicate. Instead, the PIN input is necessary during the initial pairing process, and thereafter, the devices automatically exchange data without requiring users to re-enter the PIN ("security measure of the media system"). The Accu-Chek Guide meter utilizes that communication channel exclusively for transmitting the measured blood sugar levels to the mySugr app ("bypass the security measure of the media system for a limited permissible use of the communication link by the wireless mobile device for only transferring the at least one digital media file"). The mySugr app displays the received the measured blood sugar levels. Therefore, upon information and belief, the Bluetooth channel created between Accu-Chek Guide meter and mySugr app bypass the security measure of the media system.<br><br>  <br>Source: https://www.accu-chek.com/products/meters/guide |

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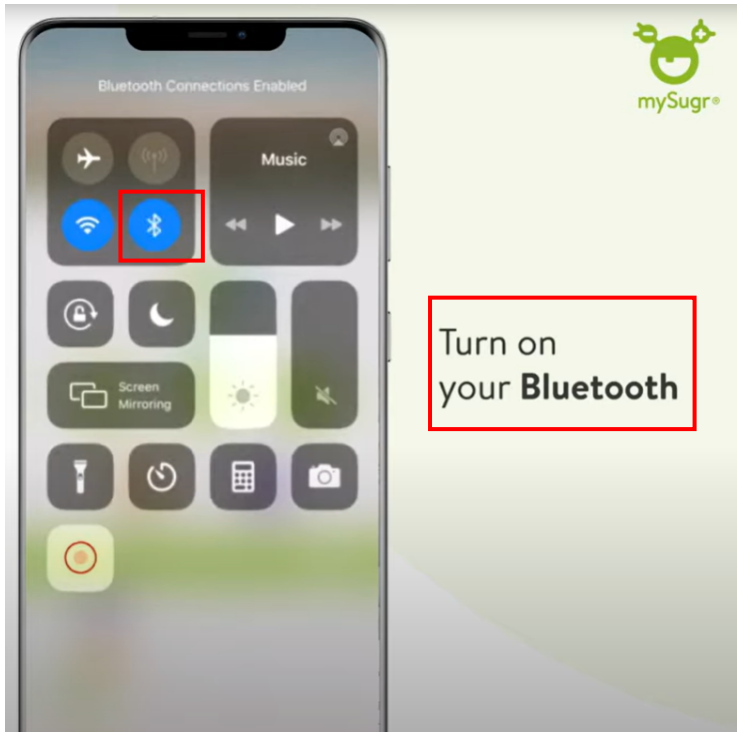


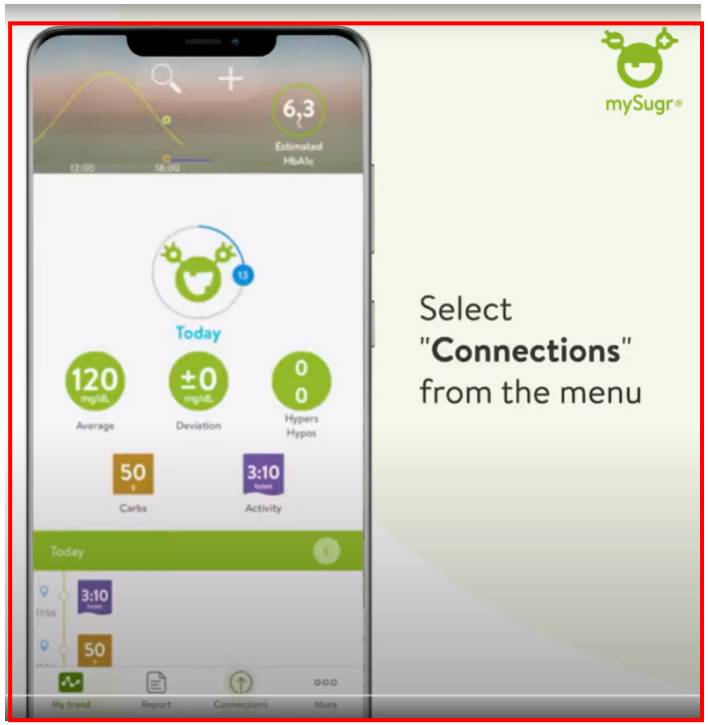


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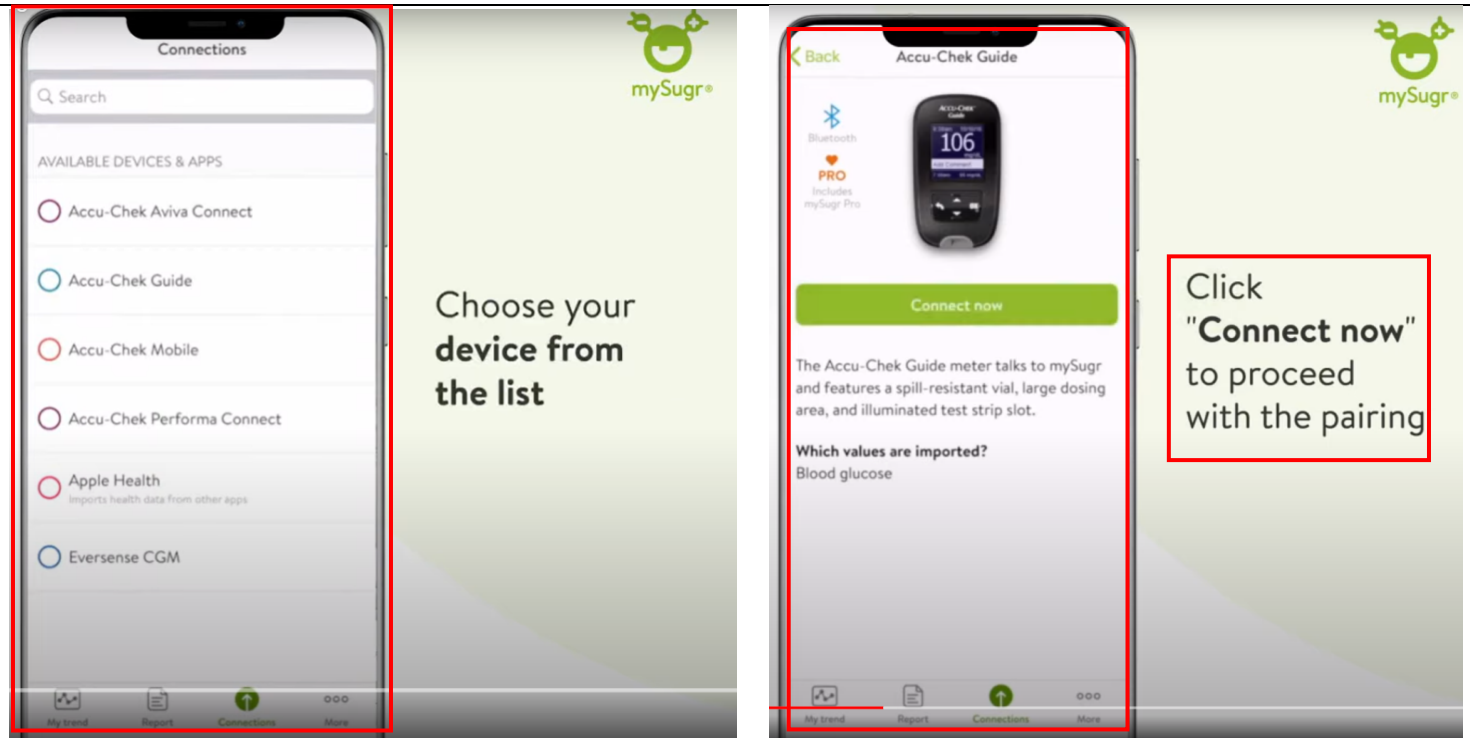


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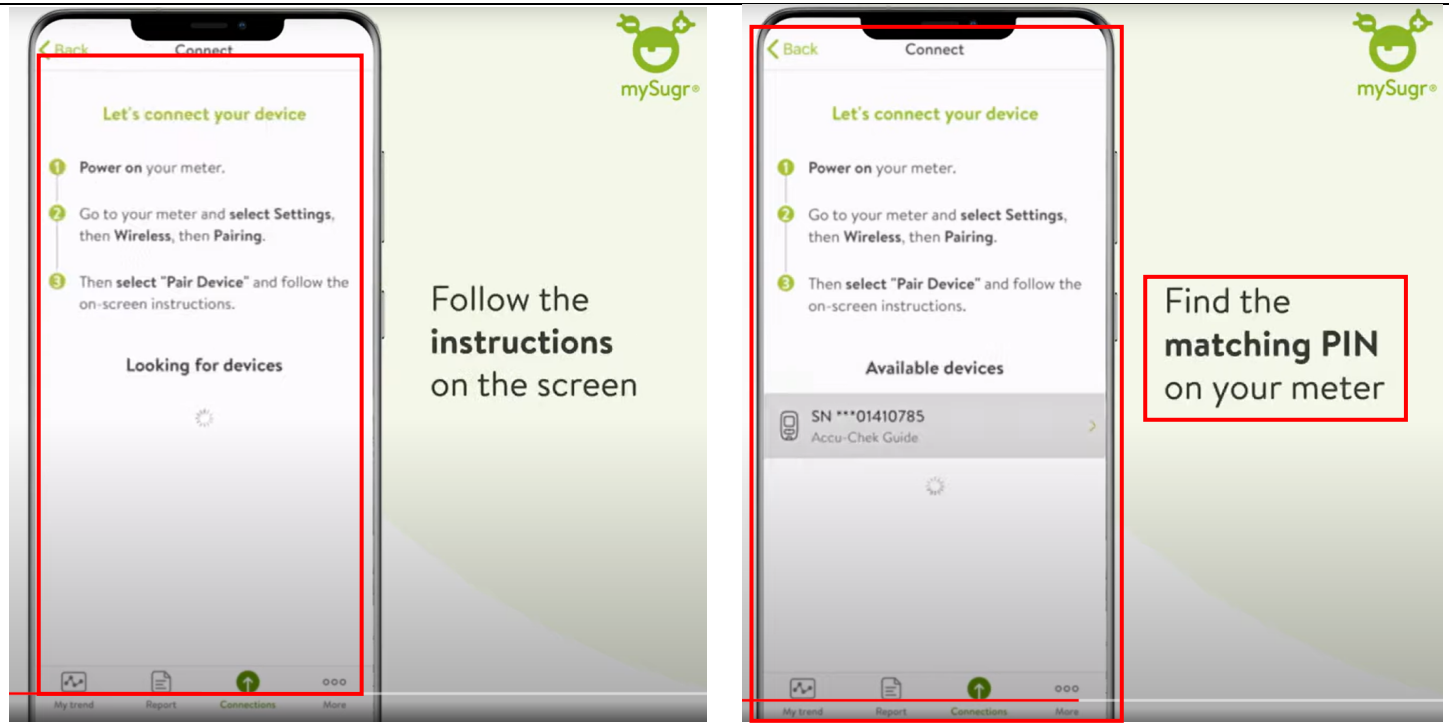


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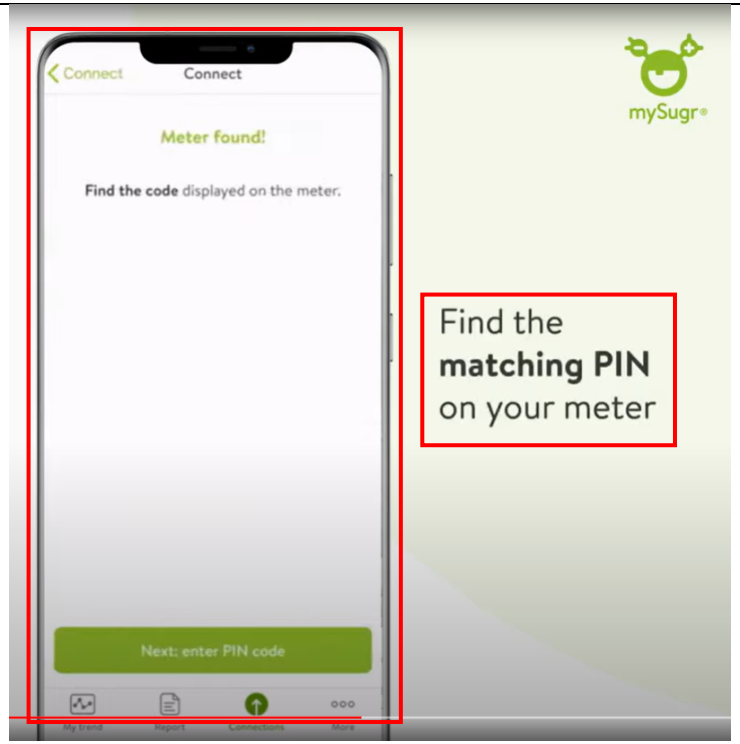


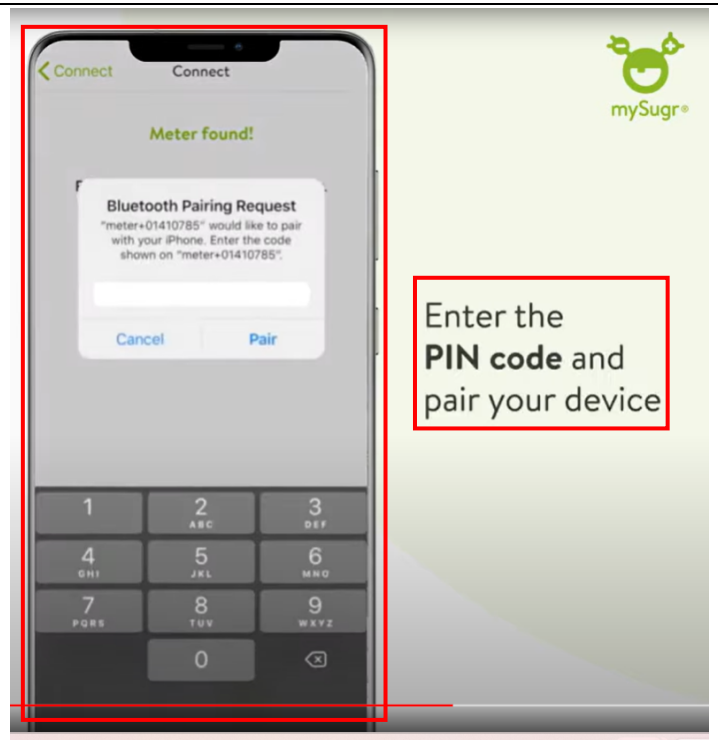


Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:26, 0:29

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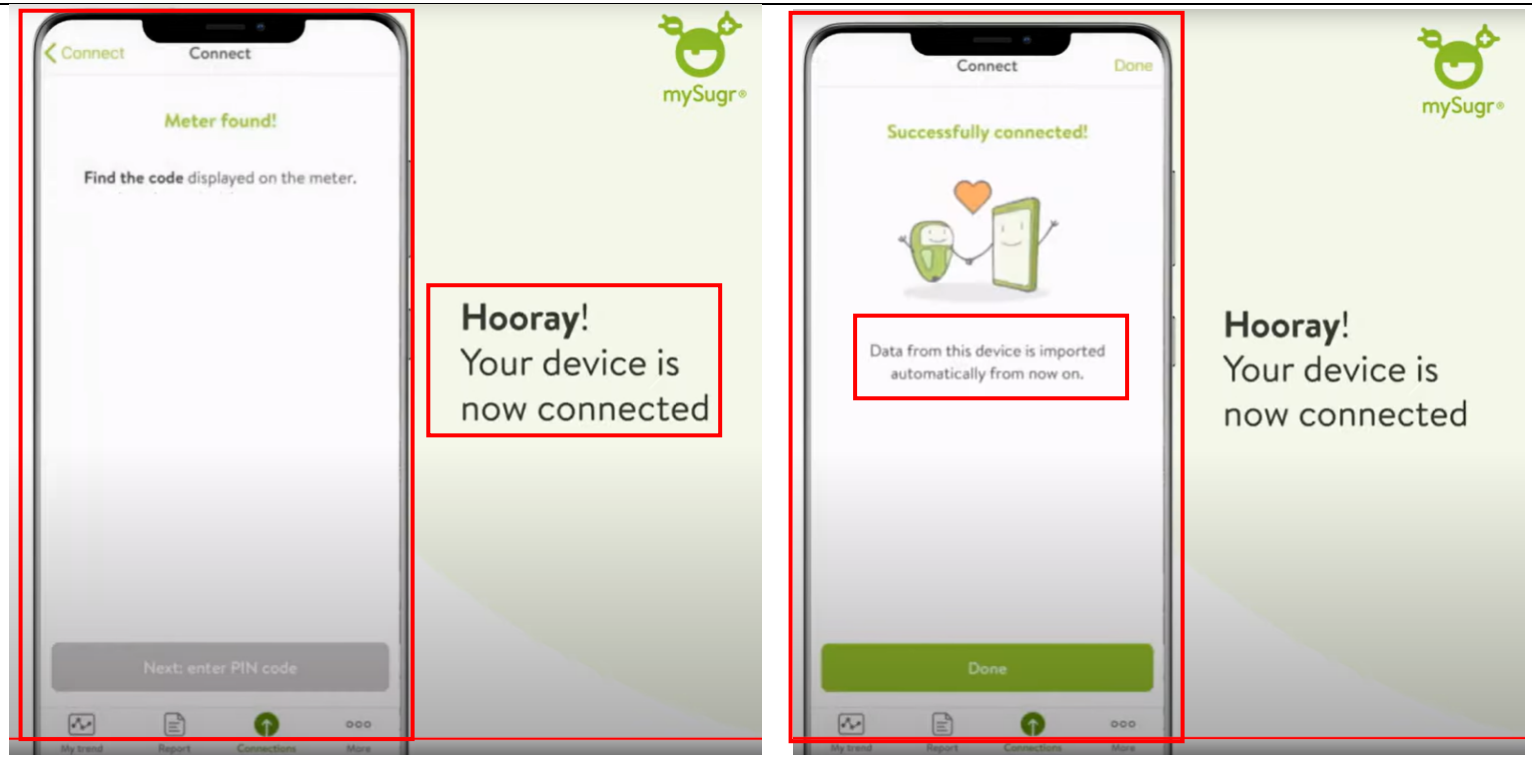


Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:38, 0:40

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## Connecting your devices & services

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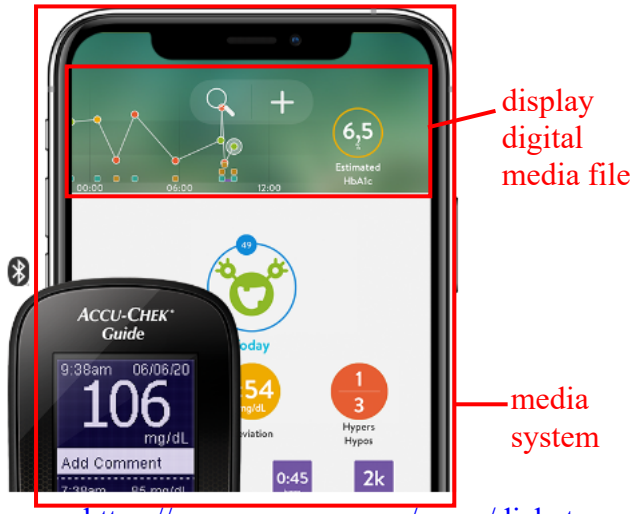
Source: https://www.mysugr.com/en-us/diabetes-app/




Source: https://www.mysugr.com/en-us/diabetes-app/ (annotated)

Exhibit 4 to the Complaint.

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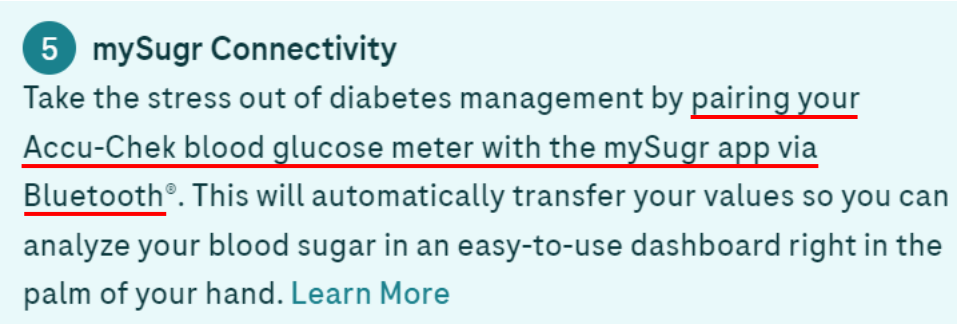
| | Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to the production of such source code by Company. |
| [24] The method of claim 22, wherein the transmission of the at least one digital media file from the wireless mobile device to the media system completely bypasses the security measure. | Company performs and/or induces others to perform the step of transmission of the at least one digital media file from the wireless mobile device to the media system completely bypasses the security measure.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the Accu-Chek Guide meter and the mySugr app do not require users to input a PIN ("security measure") every time they communicate. Instead, the PIN input is necessary during the initial pairing process, and thereafter, the devices automatically exchange data without requiring users to re-enter the PIN ("bypasses the security measure"). Therefore, upon information and belief, the Bluetooth channel created between Accu-Chek Guide meter and mySugr app bypass the security measure.<br><br>  <br><br>Source: https://www.accu-chek.com/products/meters/guide |

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| | **Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that<br>1. utilizes Bluetooth low energy technology,<br>2. it is paired with, and<br>3. has an application that can accept the meter data.<br>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70 |

Exhibit 4 to the Complaint.

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| | **How can I transfer Accu-Chek meter data to mySugr?** ^<br><br>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.<br><br>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:<br><br>1. If you are using an Apple device, make sure Bluetooth® is turned on.<br><br>a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.<br><br>2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)<br>3. Open the mySugr app and go to the “Connections” tab in the bar menu located at the bottom of the screen.<br>4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.<br>5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.<br>6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<br><br>Source: https://www.accu-chek.com/support/products/guide |

Exhibit 4 to the Complaint.

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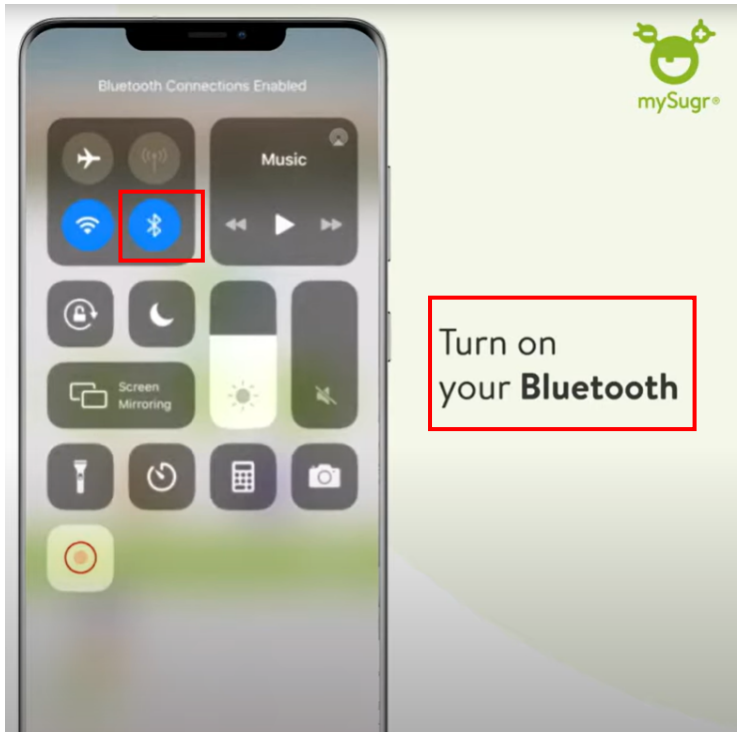
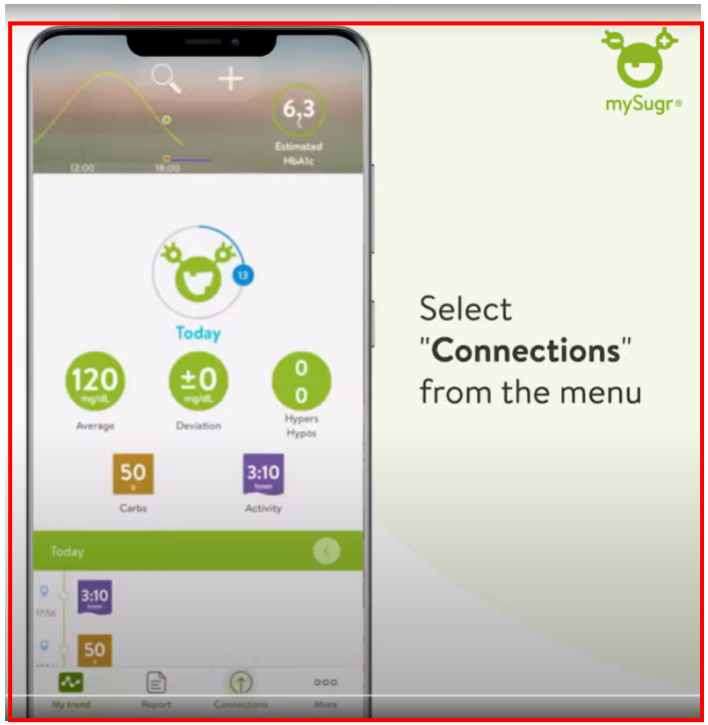
| |   Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:07, 0:09 |

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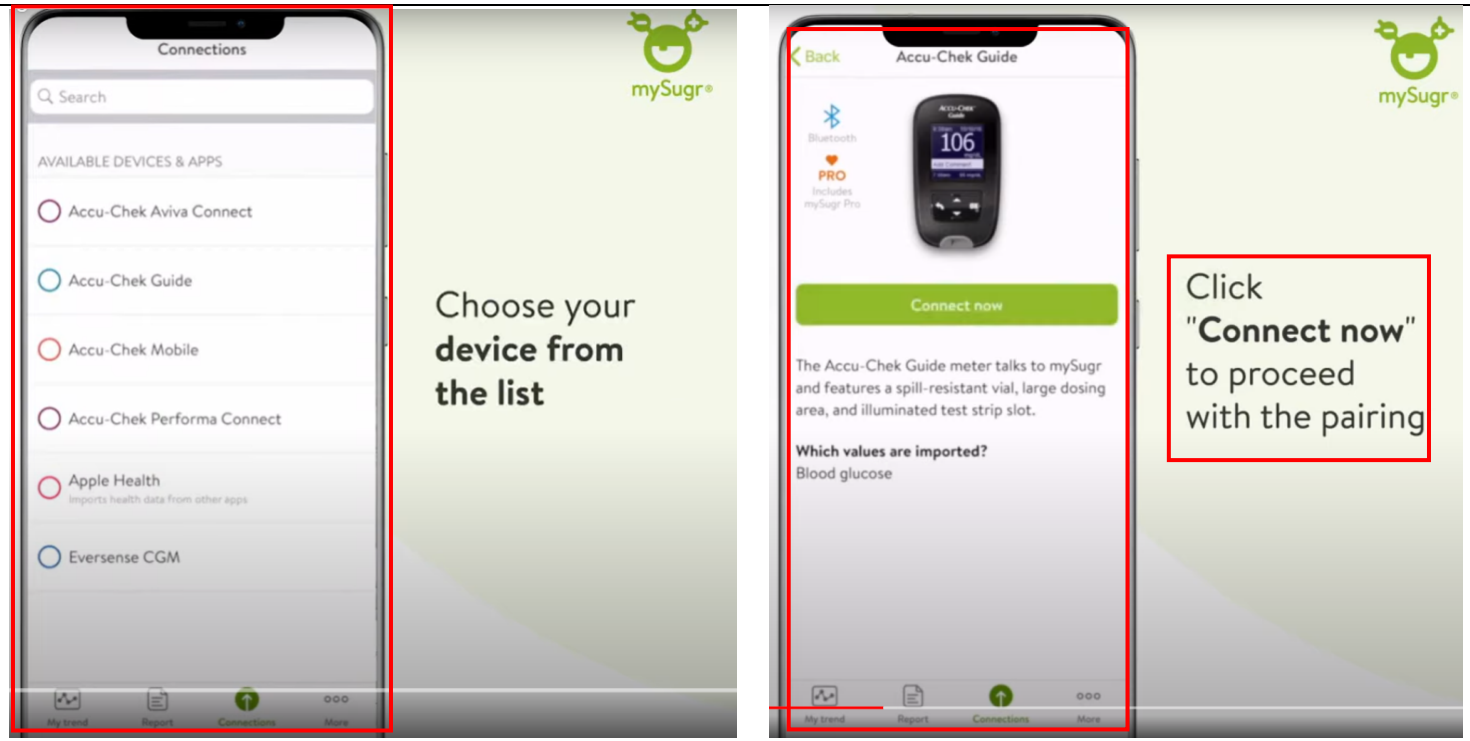
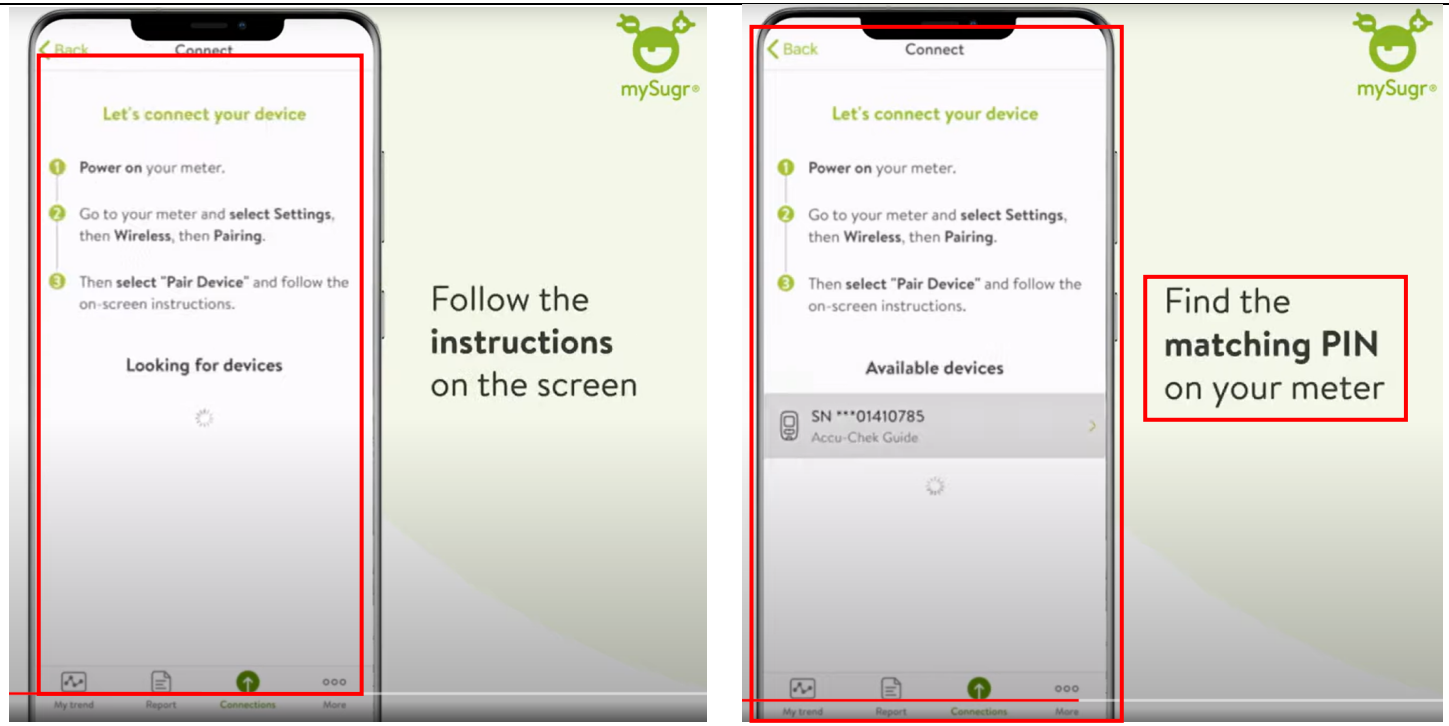



Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:12, 0:17

Exhibit 4 to the Complaint.

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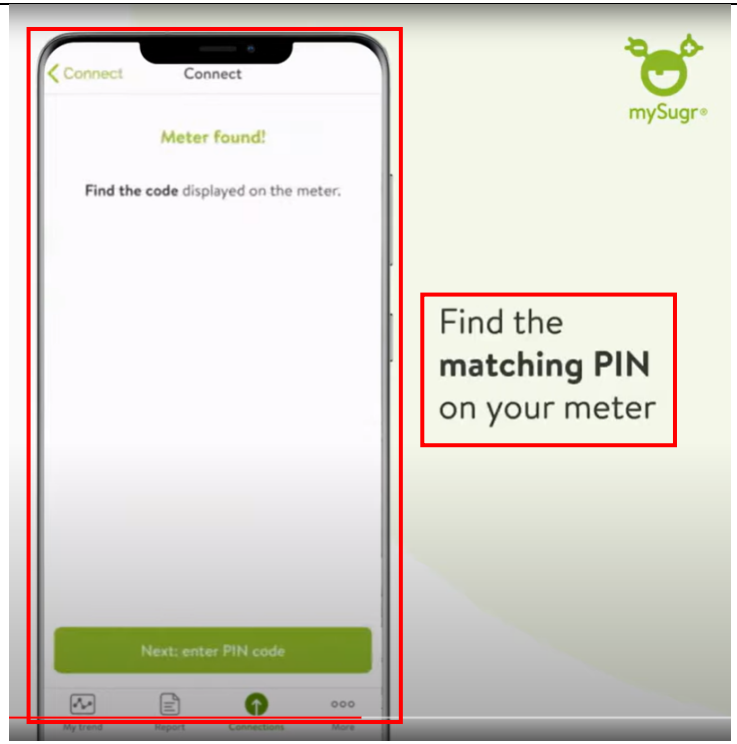


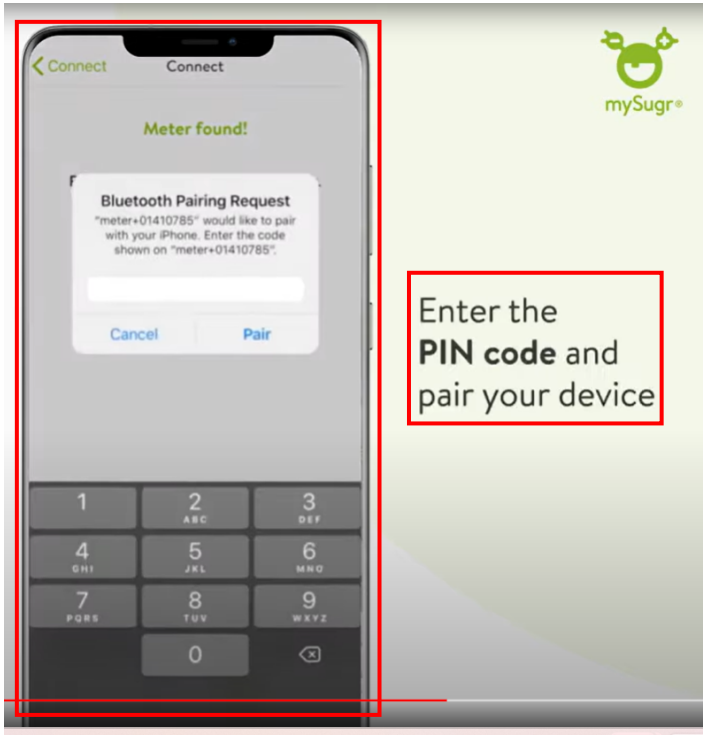


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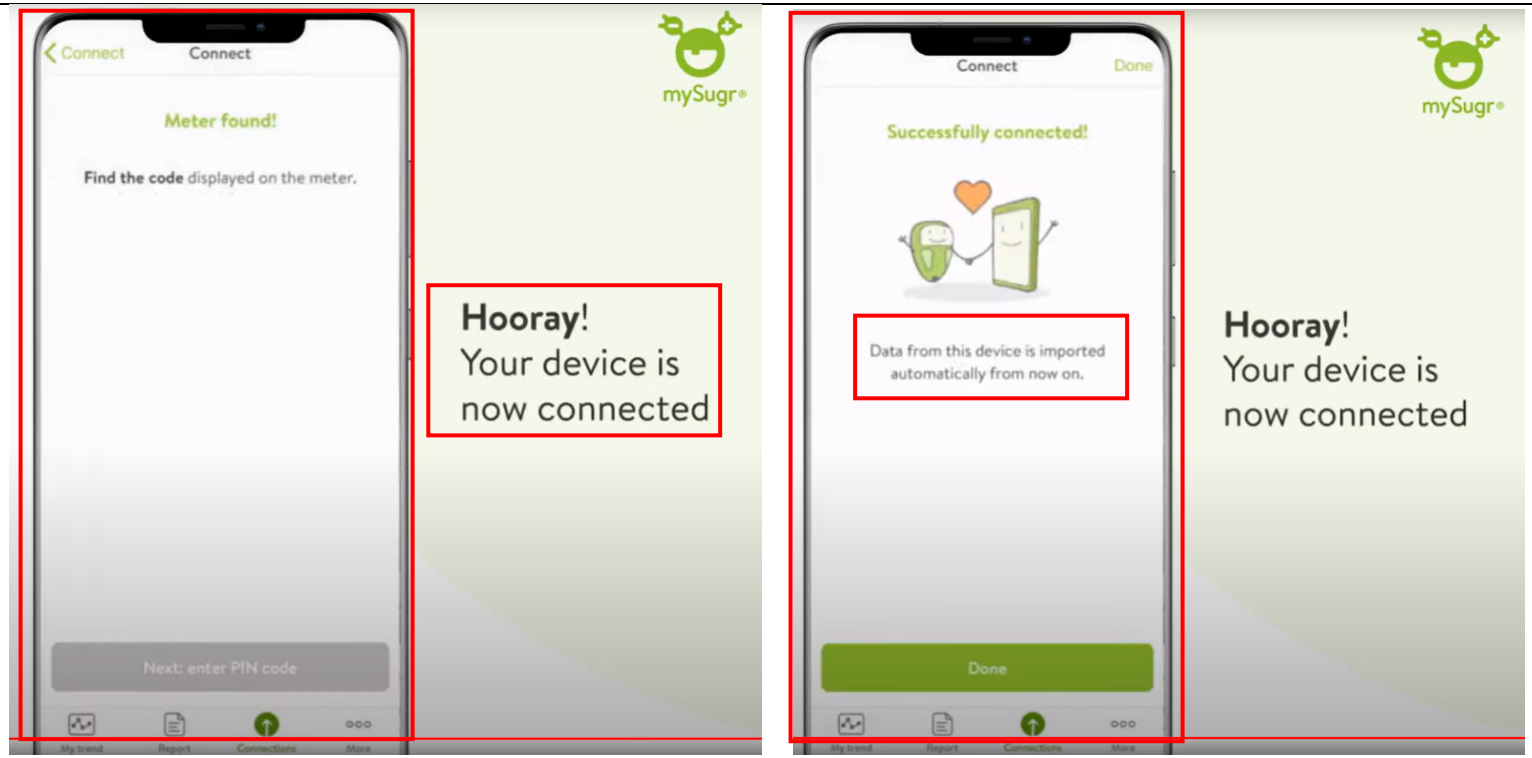


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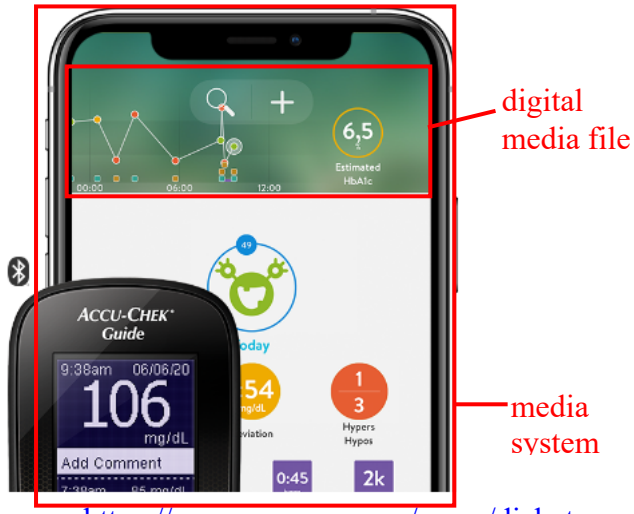
Source: https://www.mysugr.com/en-us/diabetes-app/




Source: https://www.mysugr.com/en-us/diabetes-app/ (annotated)

Exhibit 4 to the Complaint.

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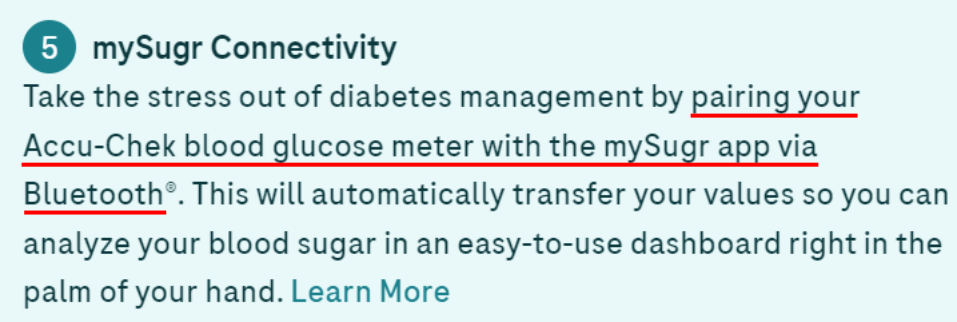
| | Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [27] The method of claim 22, wherein the communication link is at least one of a peer-to-peer connection, bluetooth connection, and a WiFi connection. | Company performs and/or induces others to perform the step of the communication link is at least one of a peer-to-peer connection, bluetooth connection, and a WiFi connection.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the mySugr app installed in the user's smartphone detects the Accu-Chek Guide meter through Bluetooth and establishes a connection ("communication link") for receiving the measured blood sugar level.<br><br>  <br>Source: https://www.accu-chek.com/products/meters/guide |

Exhibit 4 to the Complaint.

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|---|---|
| | **How can I transfer Accu-Chek meter data to mySugr?** ^<br><br>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.<br><br>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:<br><br>1. If you are using an Apple device, make sure Bluetooth® is turned on.<br><br>a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.<br><br>2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)<br>3. Open the mySugr app and go to the “Connections” tab in the bar menu located at the bottom of the screen.<br>4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.<br>5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.<br>6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<br><br>Source: https://www.accu-chek.com/support/products/guide |

Exhibit 4 to the Complaint.

Source: https://www.accu-chek.com/document/accu-chek-guide-quick-start-guide-2/download, Page 1 of 2 (annotated)

Exhibit 4 to the Complaint.

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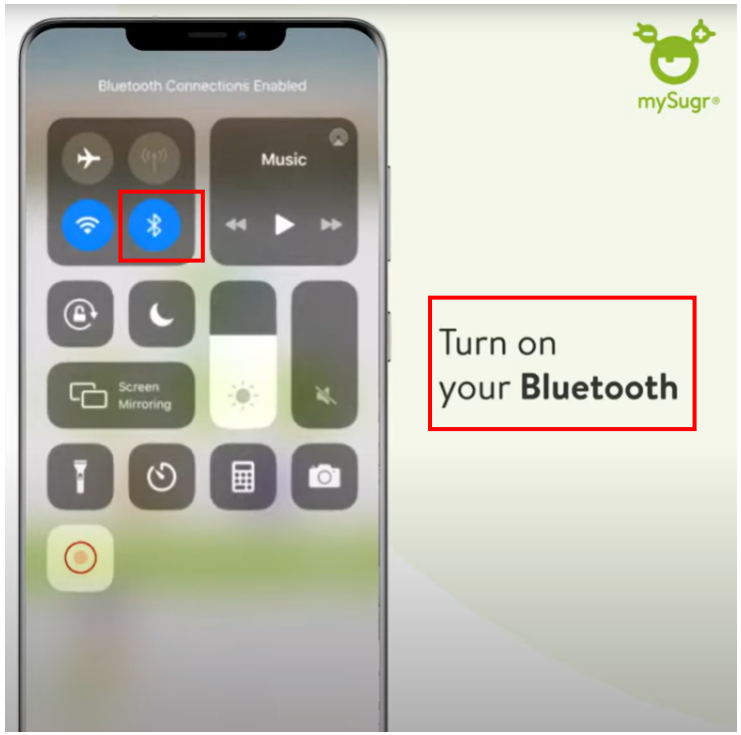
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:07<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [29] The method of claim 22, further comprising presenting the at least one digital | Company performs and/or induces others to perform the step of presenting the at least one digital media file on a display.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the mySugr app installed on the user's smartphone displays ("presenting") the measured blood sugar levels ("digital media file"). |

Exhibit 4 to the Complaint.

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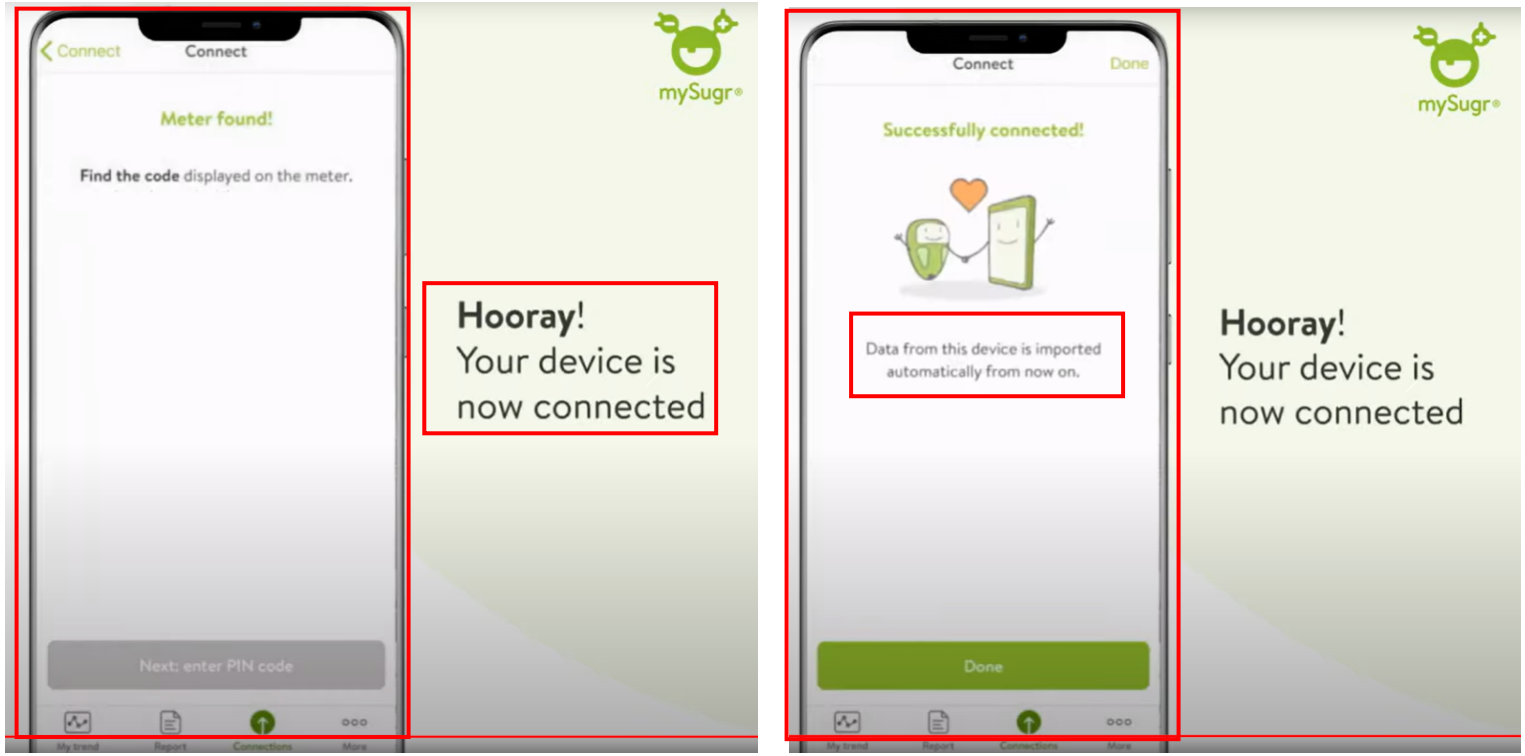
| media file on a display. | **5 mySugr Connectivity**<br>Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More<br>Source: https://www.accu-chek.com/products/meters/guide<br>  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:38, 0:40 |

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Source: https://www.mysugr.com/en-us/diabetes-app/

Source: https://www.mysugr.com/en-us/diabetes-app/ (annotated)

Exhibit 4 to the Complaint.

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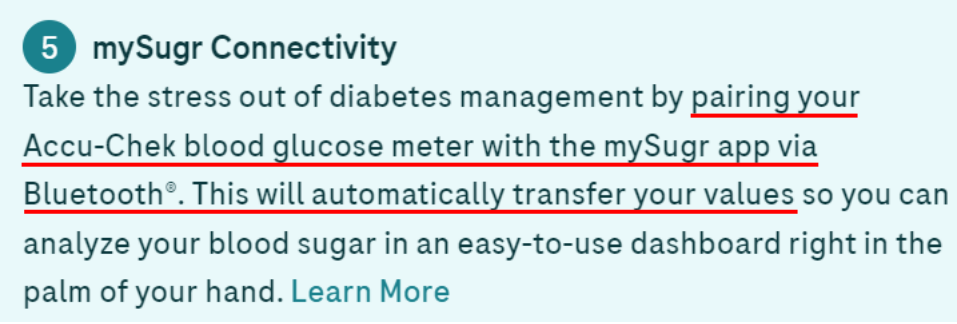
|---|---|
| | Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [30] The method of claim 22, wherein the at least one digital media file is provided by the wireless mobile device. | Company performs and/or induces others to perform the step of at least one digital media file is provided by the wireless mobile device.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the Accu-Chek Guide ("wireless mobile device") transmits the measured blood sugar levels ("at least one digital media file") to the mySugr app installed on the user's smartphone.<br><br>  <br><br>Source: https://www.accu-chek.com/products/meters/guide |

Exhibit 4 to the Complaint.

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| | **Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that<br>1. utilizes Bluetooth low energy technology,<br>2. it is paired with, and<br>3. has an application that can accept the meter data.<br>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70 |

Exhibit 4 to the Complaint.

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| | **How can I transfer Accu-Chek meter data to mySugr?** ^<br><br>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.<br><br>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:<br><br>1. If you are using an Apple device, make sure Bluetooth® is turned on.<br><br>a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.<br><br>2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)<br>3. Open the mySugr app and go to the “Connections” tab in the bar menu located at the bottom of the screen.<br>4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.<br>5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.<br>6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<br><br>Source: https://www.accu-chek.com/support/products/guide |

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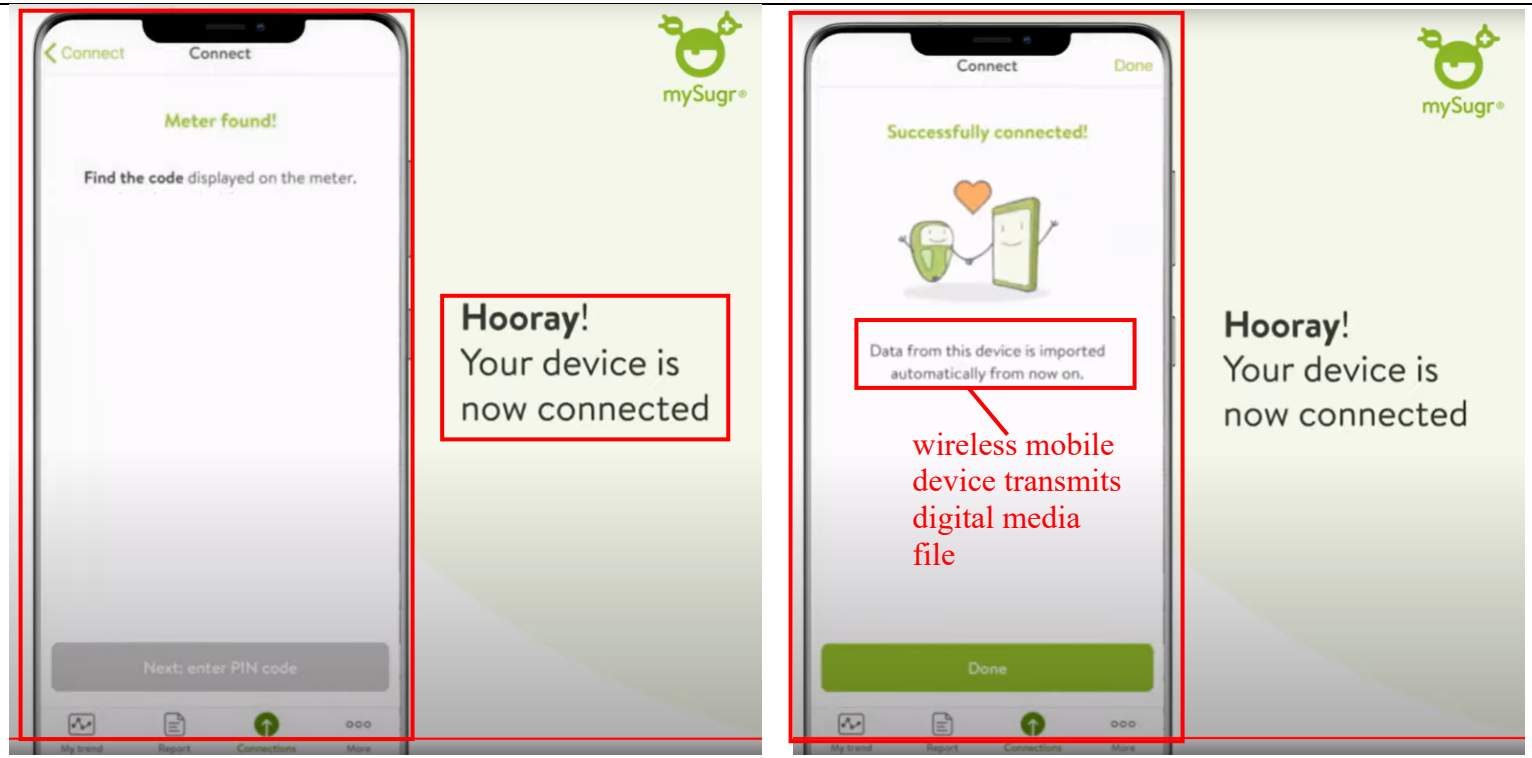


Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:38, 0:40 (annotated)

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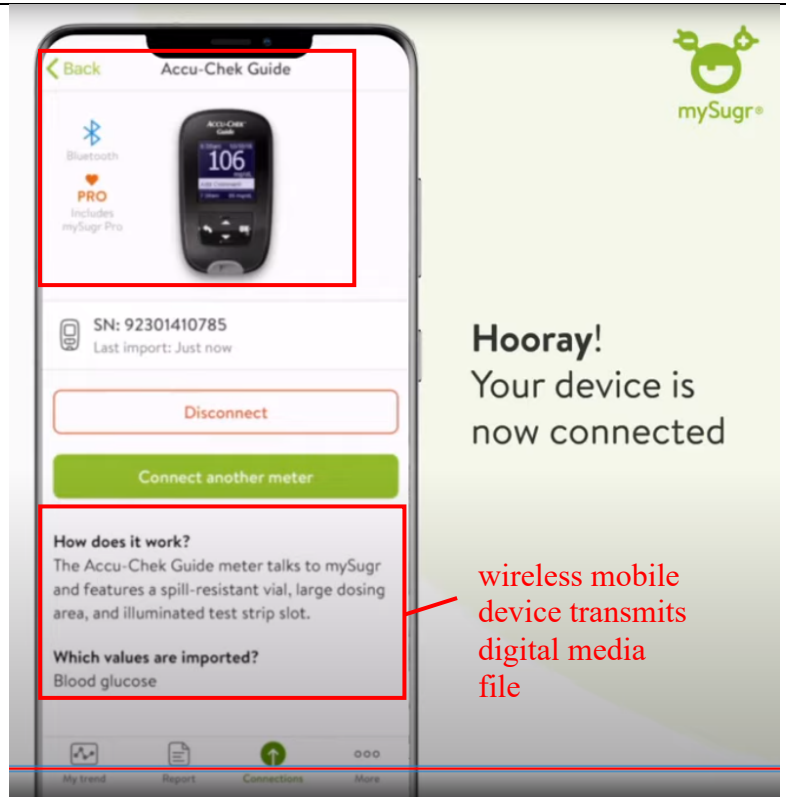
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43 (annotated)<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [32.P] A wireless mobile device configured to transmit a | Roche Diagnostics Corporation ("Company") makes, uses, sells and/or offers to sell a wireless mobile device configured to transmit a media file to a media system over a communication network having a security measure.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, Company provides Accu-Chek Guide ("wireless mobile device"), a blood glucose meter designed to measure blood sugar levels. This device transmits the measured blood sugar levels to the mySugr app, installed on the |

Exhibit 4 to the Complaint.

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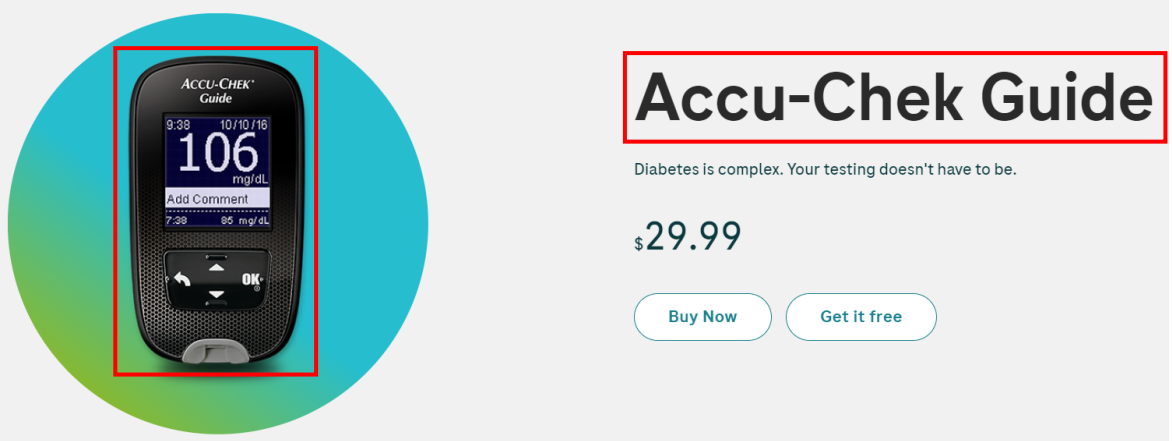
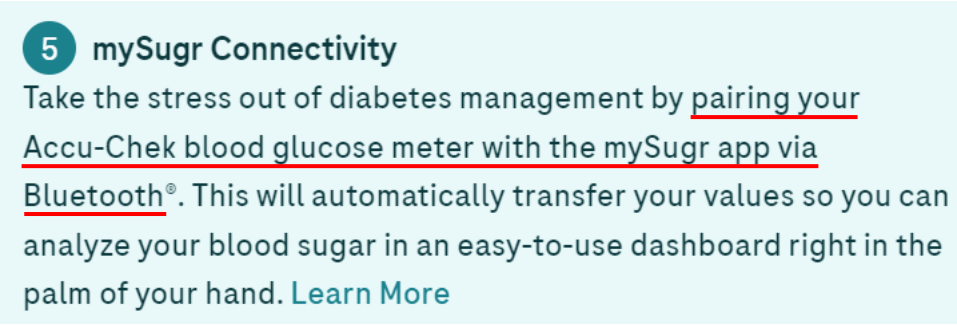
| media file to a media system over a communication network having a security measure comprising: | user's smartphone ("media system"), using a Bluetooth network ("communication network"). The mySugr app, initially require users to input a PIN ("security measure") which is necessary during the initial pairing process with the Accu-Chek Guide, and thereafter, the devices automatically exchange data without requiring users to re-enter the PIN.<br>  <br>Source: https://www.accu-chek.com/products/meters/guide<br>  <br>Source: https://www.accu-chek.com/products/meters/guide |

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Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:

1. If you are using an Apple device, make sure Bluetooth® is turned on.

a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.

2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)
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6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen

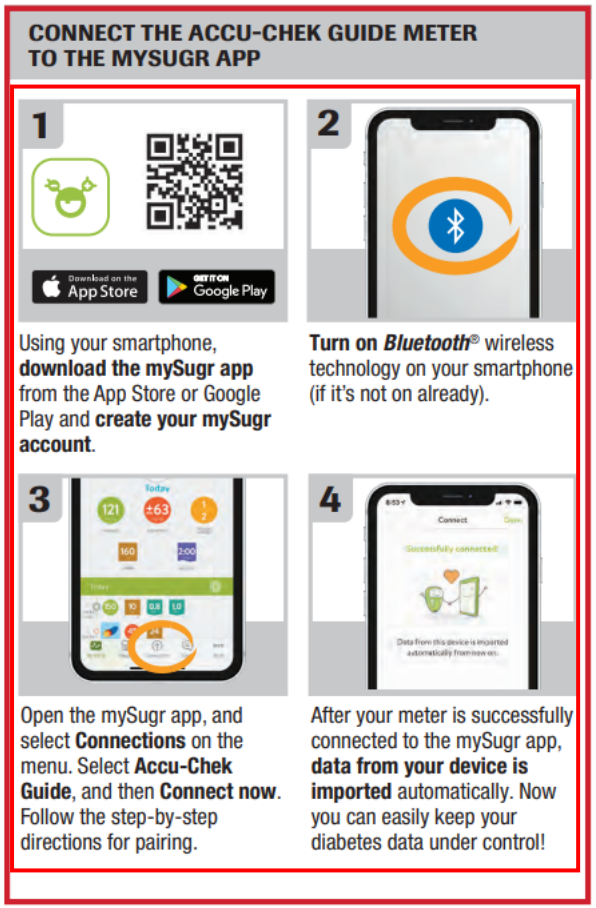
Source: https://www.accu-chek.com/support/products/guide

**Easy Connection With Blood Sugar Meters**

Automatically transfer your values to the mySugr app via Bluetooth and analyze them with one click to identify your patterns more quickly.

Exhibit 4 to the Complaint.

Source: https://www.mysugr.com/en-us/




Source: https://www.accu-chek.com/document/accu-chek-guide-quick-start-guide-2/download, Page 1 of 2

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| | <br>Source: https://www.accu-chek.com/products/mysugr (annotated) |

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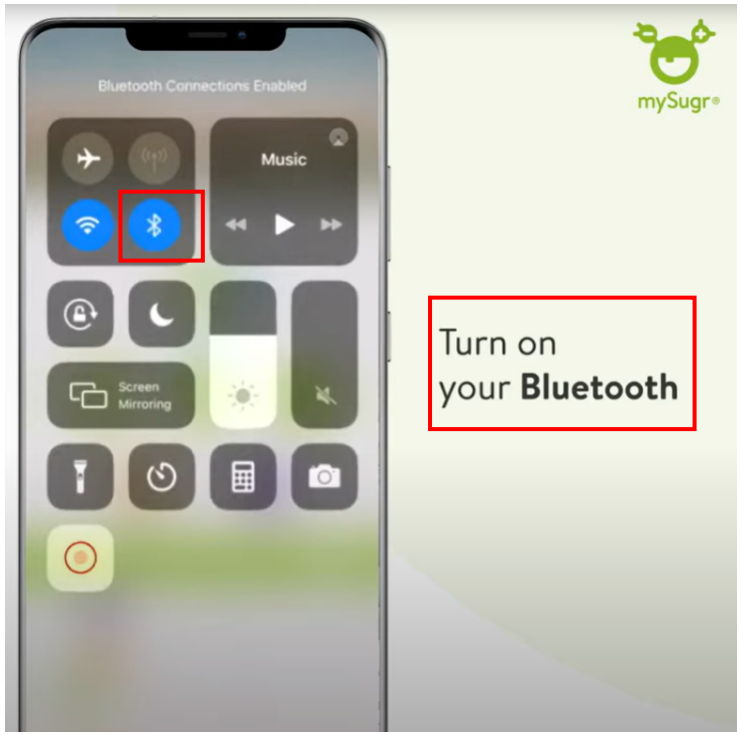


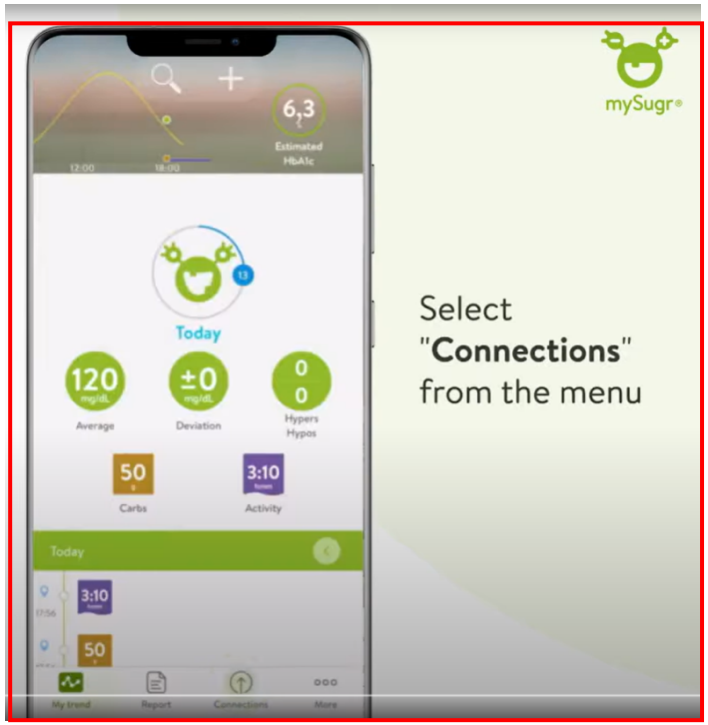


Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:07, 0:09

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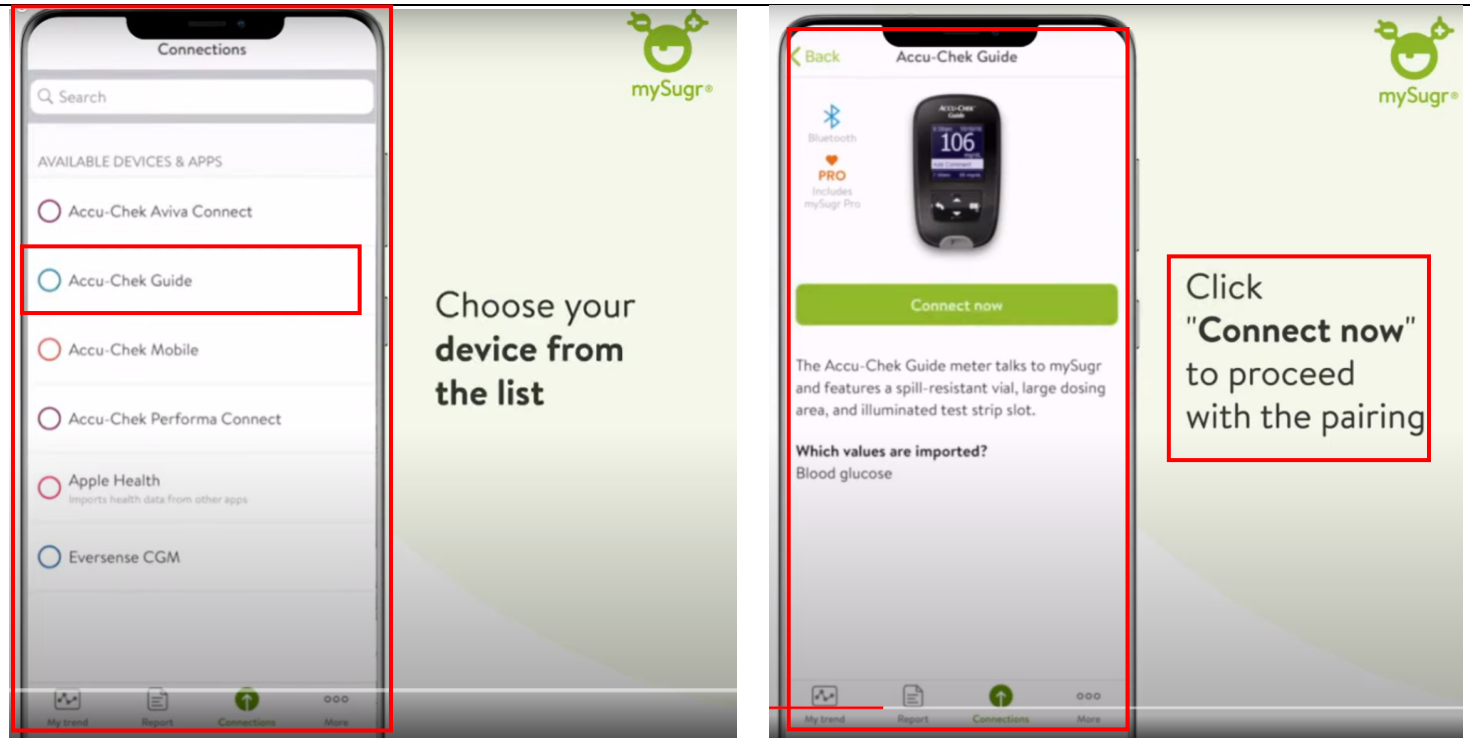


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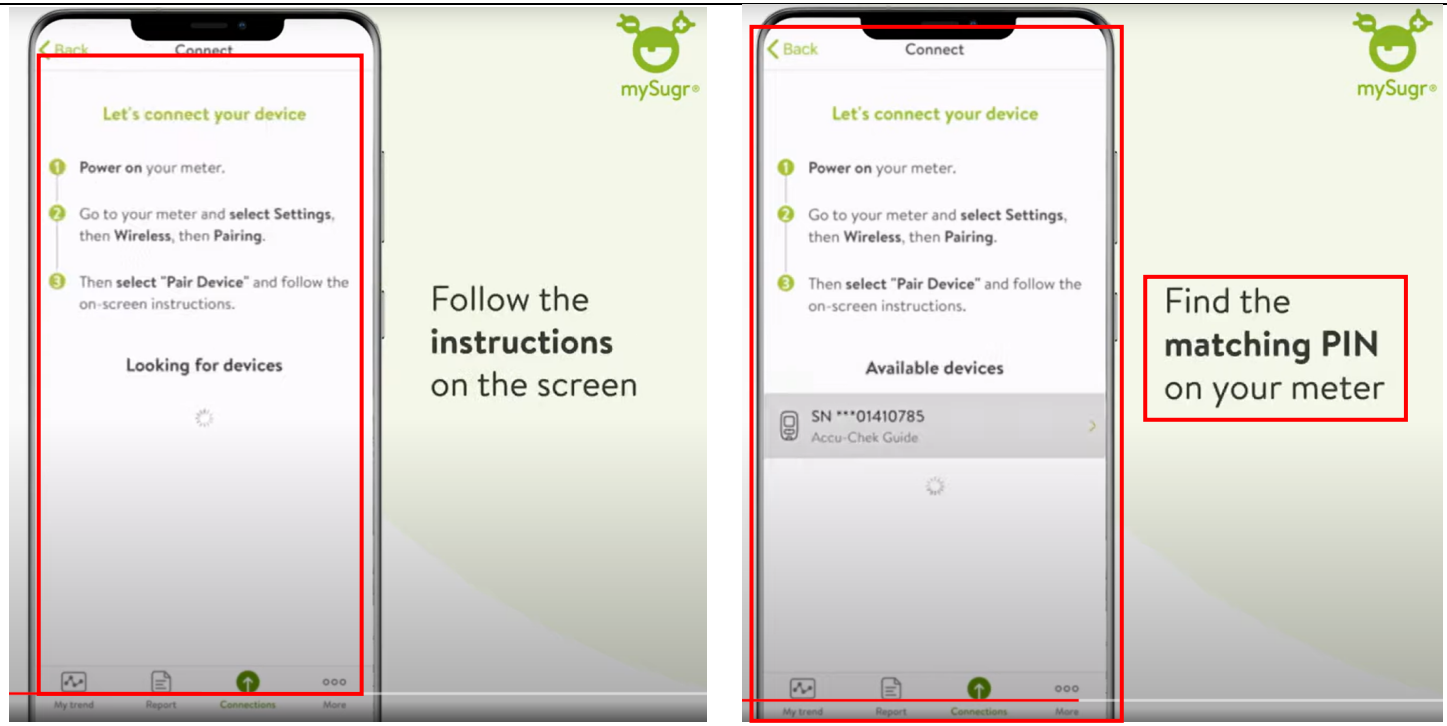


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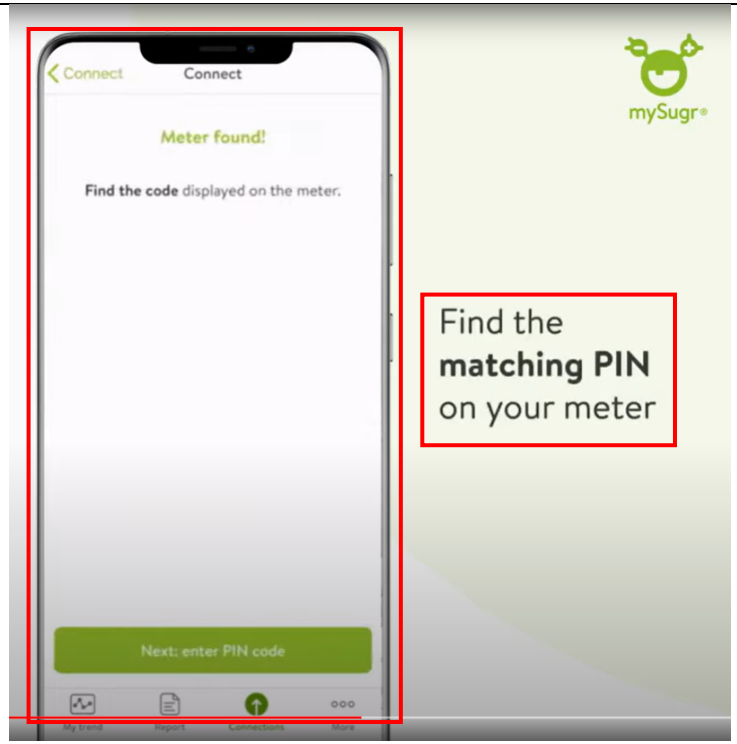
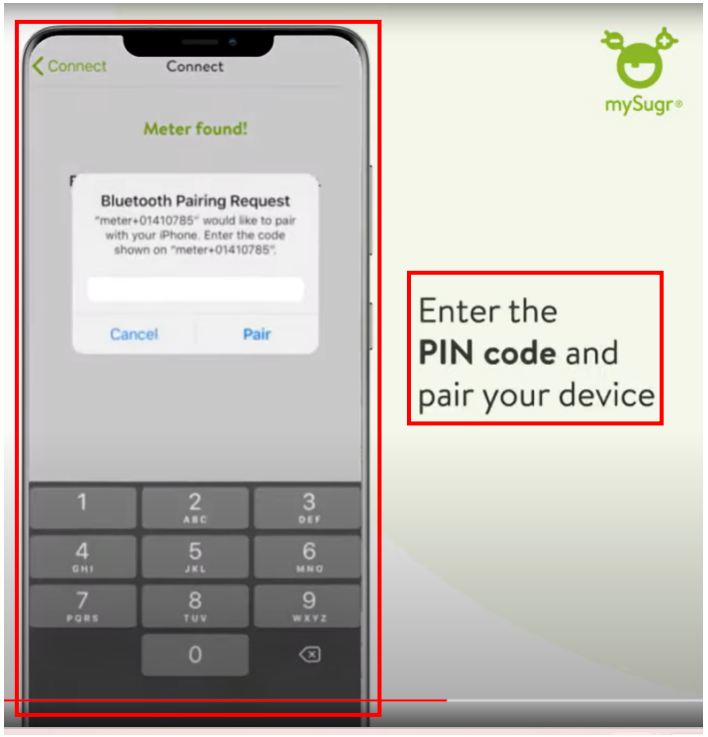
Exhibit 4 to the Complaint.

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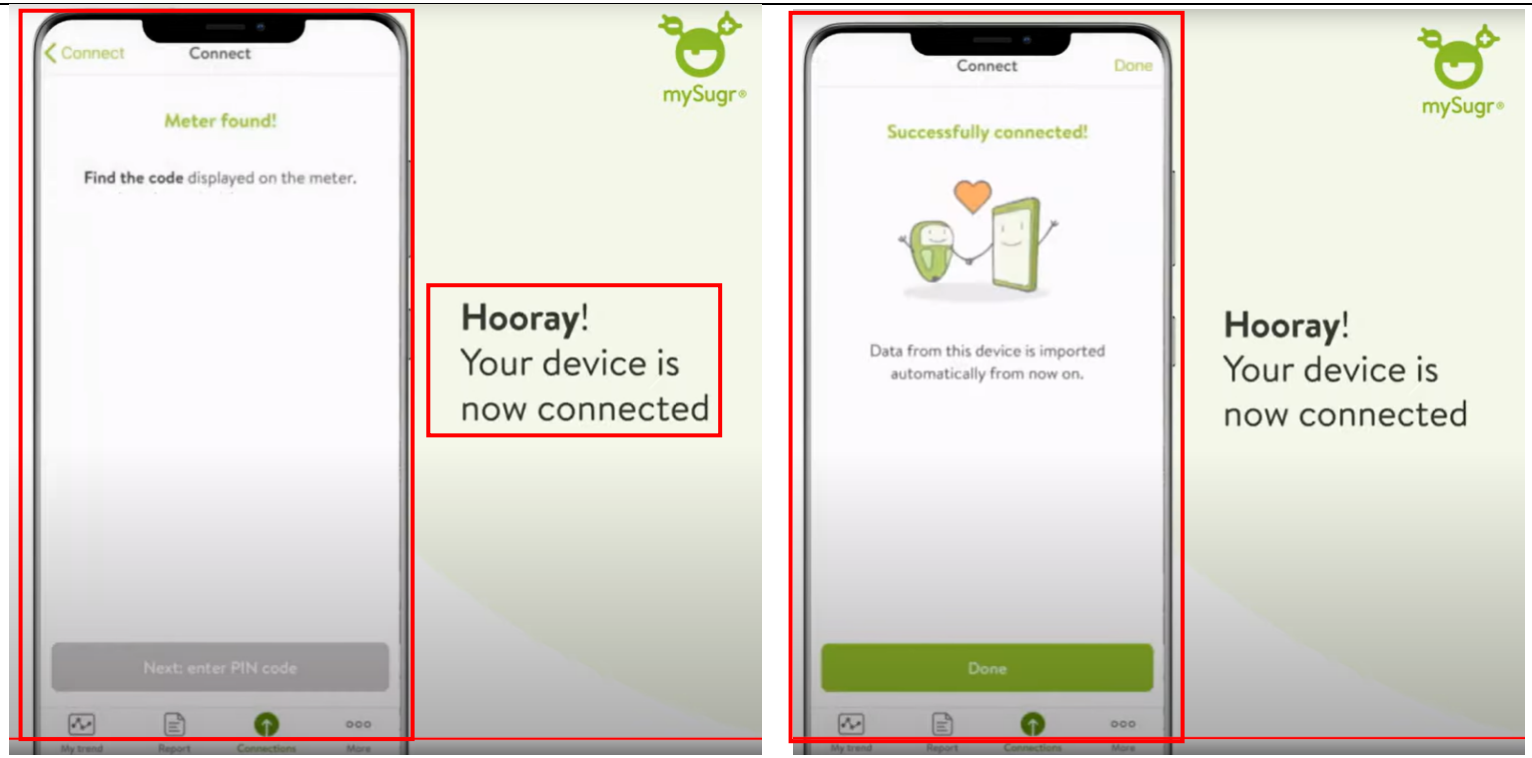


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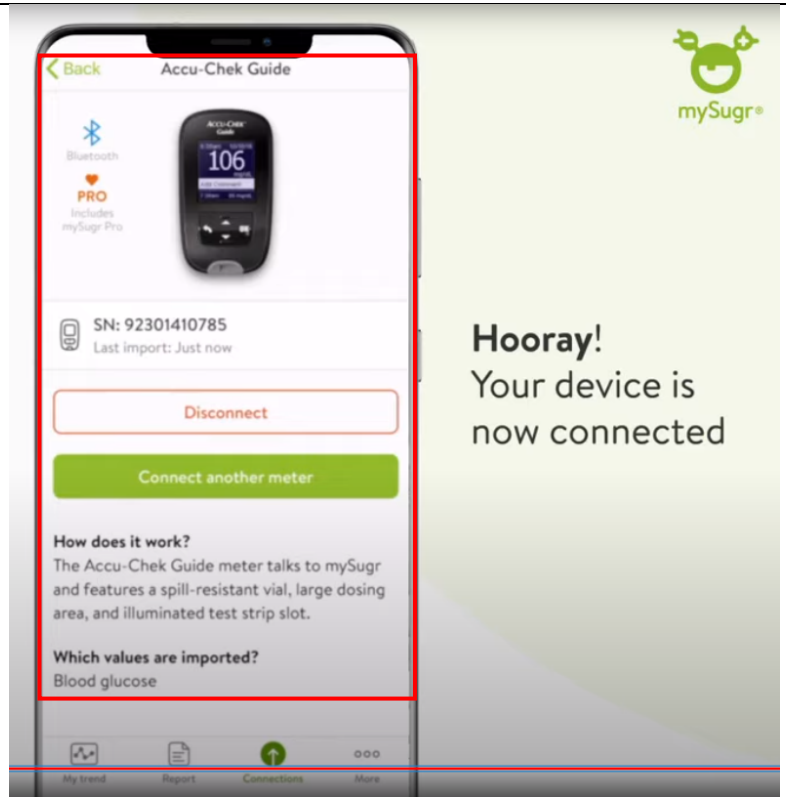
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [32.1] the media system disposed in an accessible relation to at least one interactive | Company makes, uses, sells and/or offers to sell the media system disposed in an accessible relation to at least one interactive computer network that has a wireless range structured to permit authorized access to said at least one interactive computer network.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents. |

Exhibit 4 to the Complaint.

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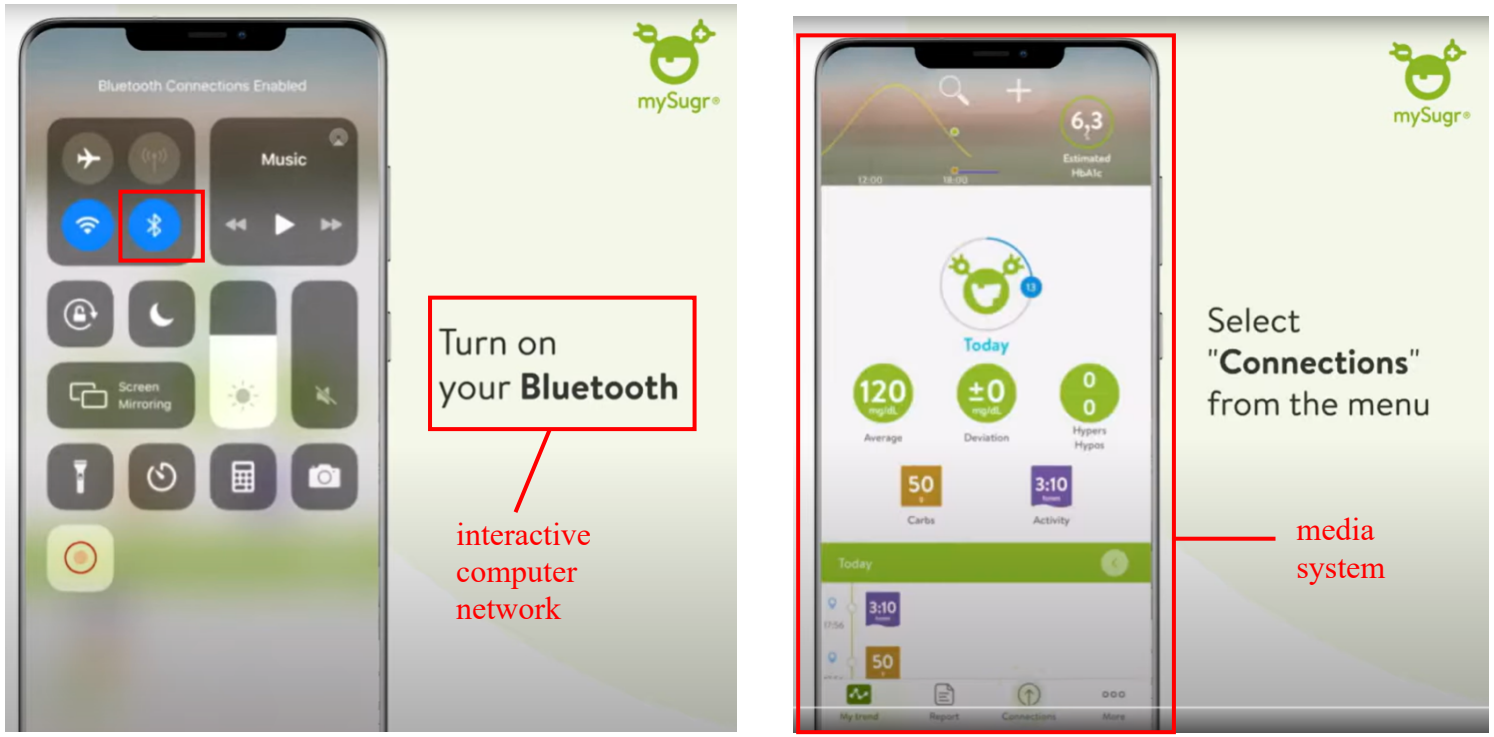
| computer network that has a wireless range structured to permit authorized access to said at least one interactive computer network, | For example, the mySugr app, installed on the user's smartphone ("media system") receives the blood sugar levels to, from the Accu-Chek Guide using Bluetooth network ("interactive computer network"). The Accu-Chek Guide and the smartphone, on which the mySugr app is installed, are paired with each other using the Bluetooth network. Since, the smartphone communicates and receives data from the Accu-Chek Guide using Bluetooth, it is apparent for a person having ordinary skills in the art that, the media system disposed in an accessible relation to at least one interactive computer network that has a wireless range structured to permit authorized access to at least one interactive computer network.<br> <br>Source: https://www.accu-chek.com/document/accu-chek-guide-quick-start-guide-2/download, Page 1 of 2 (annotated) |

Exhibit 4 to the Complaint.

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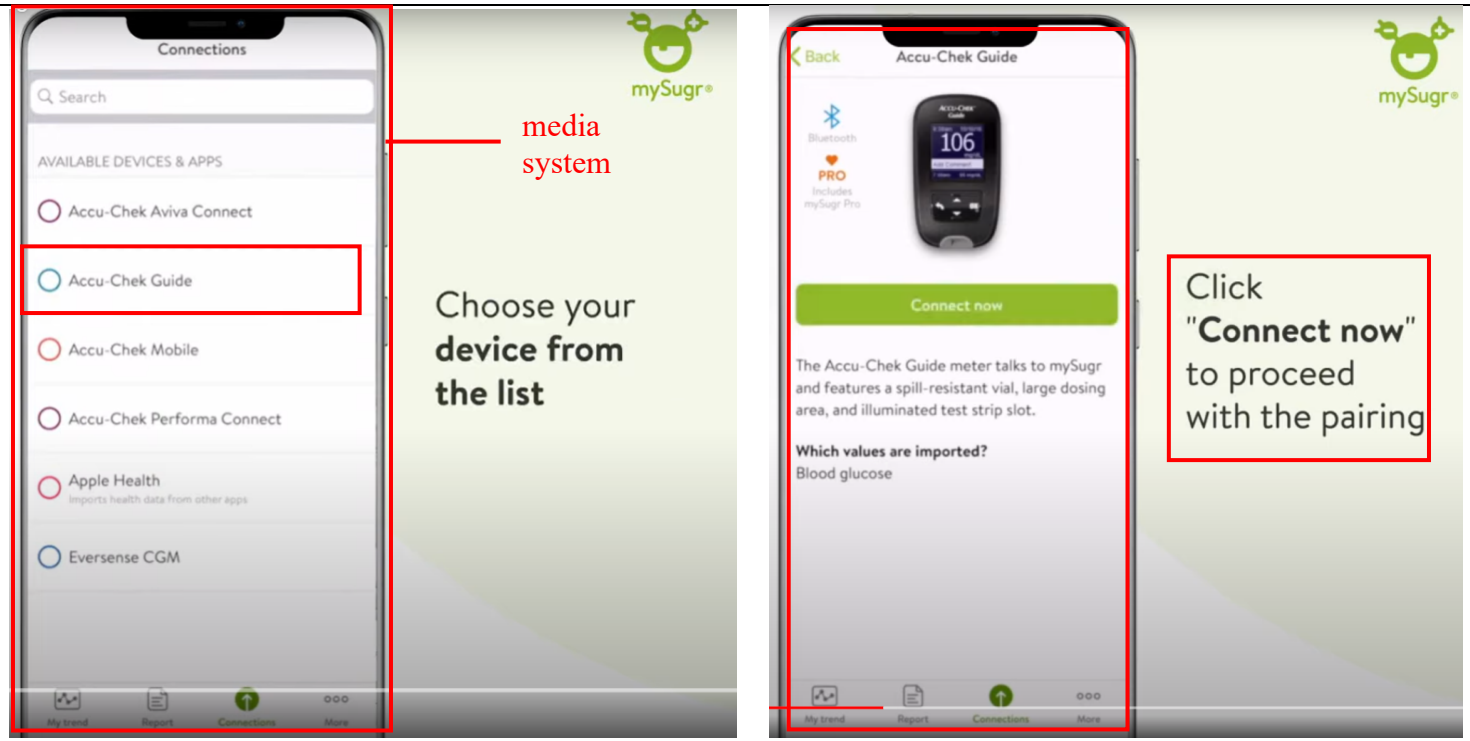


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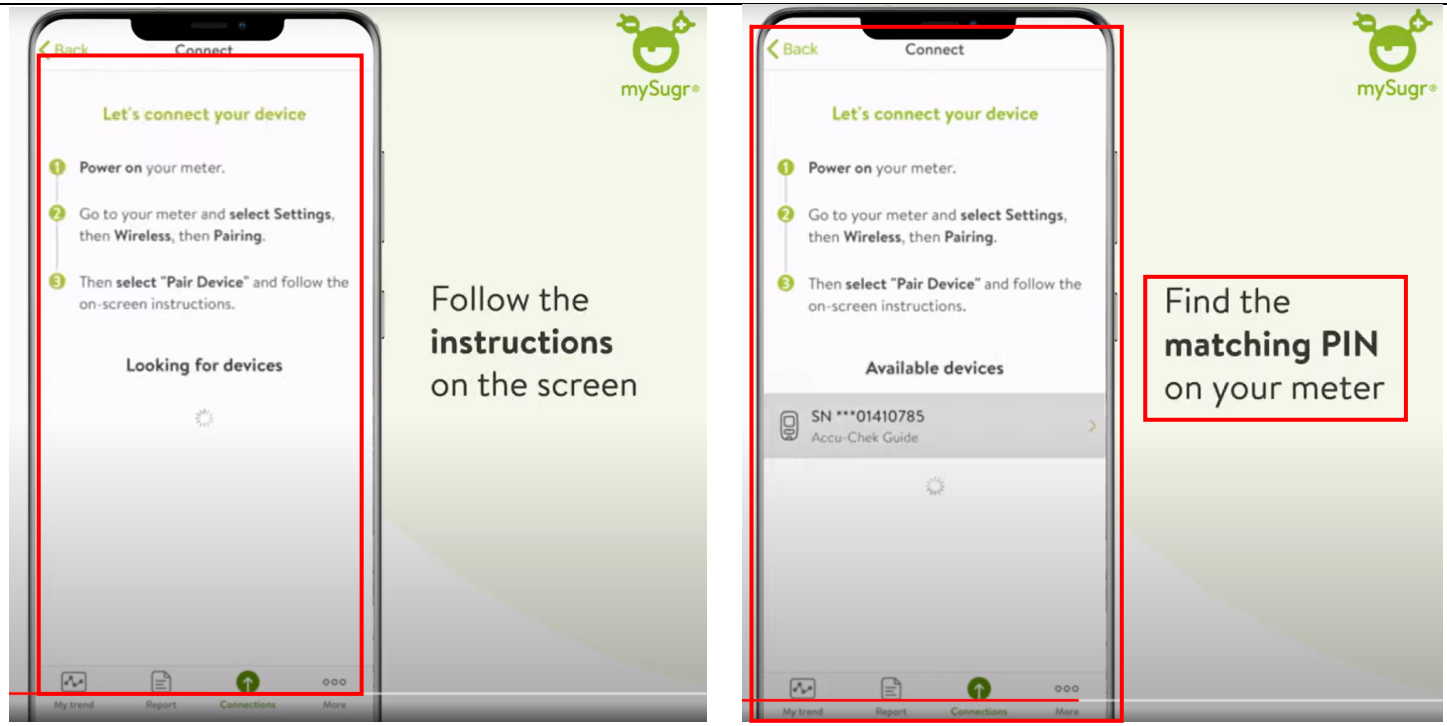


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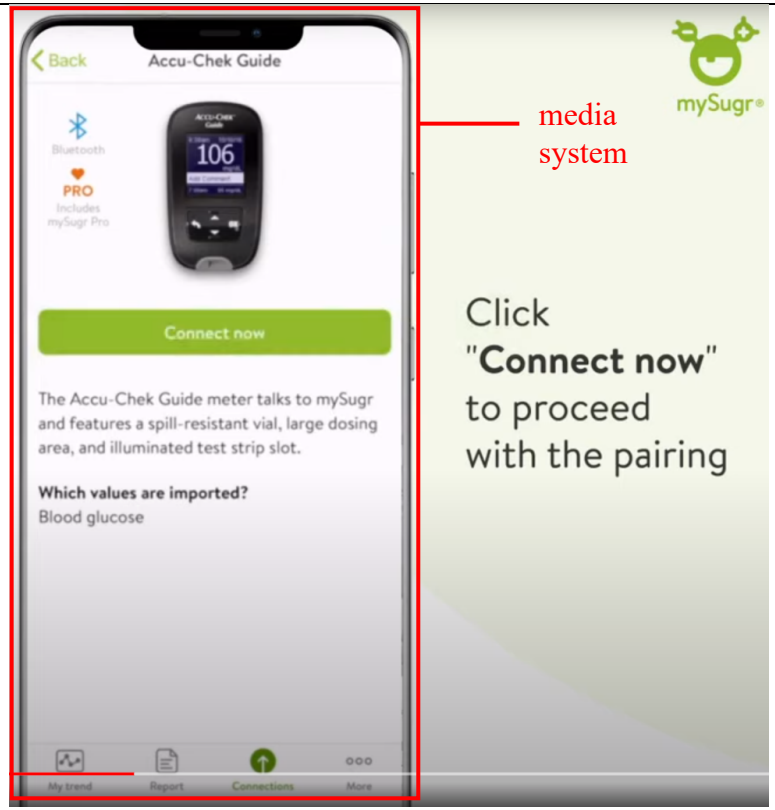


Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:17 (annotated)

Exhibit 4 to the Complaint.

**How can I transfer Accu-Chek meter data to mySugr?**

Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.

Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:

1. If you are using an Apple device, make sure Bluetooth® is turned on.

a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.

2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)
3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.
4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.
5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.
6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen

Source: https://www.accu-chek.com/support/products/guide

Exhibit 4 to the Complaint.

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| | Other<br>• receive data from Internet<br>• view network connections<br>• pair with Bluetooth devices<br>• access Bluetooth settings<br>• full network access<br>• run at startup<br>• control vibration<br>• prevent device from sleeping<br>Source: https://play.google.com/store/apps/details?id=com.mysugr.android.companion<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [32.2] the wireless mobile device within said wireless range, wherein said wireless mobile device is detectable by said media system, | Company makes, uses, sells and/or offers to sell the wireless mobile device within said wireless range, wherein said wireless mobile device is detectable by said media system.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the Accu-Chek Guide ("wireless mobile device") and the smartphone ("media system"), on which the mySugr app is installed, are paired with each other using the Bluetooth network ("interactive computer network"). This network facilitates the pairing of the smartphone and the Accu-Chek Guide when they are within Bluetooth range of each other. The mySugr app detects the list of Accu-Chek Guides which are in the Bluetooth range ("wireless mobile device is detectable by said media system"). |

Exhibit 4 to the Complaint.

**1 Personalized logging screen**

Organize the app the way it suits you better. Remove or add fields depending on your therapy needs.

**2 mySugr Analytics**

The analytics dashboard in the mySugr app provides you with an overview of your recorded blood sugars to help you identify patterns, allowing you to identify areas where your management could be optimized.

**3 Data Reports & Sharing**

mySugr Reports compile your data for easy printing or digital sharing. You can access and download your data anytime, anywhere and feel free to share your reports with your family, caregivers, and healthcare team for accountability and support.

Source: https://www.accu-chek.com/products/mysugr (annotated)

**5 mySugr Connectivity**

Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More

Source: https://www.accu-chek.com/products/meters/guide

Exhibit 4 to the Complaint.

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| | **Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that<br>1. utilizes Bluetooth low energy technology,<br>2. it is paired with, and<br>3. has an application that can accept the meter data.<br>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70 |

Exhibit 4 to the Complaint.

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| | **How can I transfer Accu-Chek meter data to mySugr?** ^<br><br>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.<br><br>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:<br><br>1. If you are using an Apple device, make sure Bluetooth® is turned on.<br><br>a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.<br><br>2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)<br>3. Open the mySugr app and go to the “Connections” tab in the bar menu located at the bottom of the screen.<br>4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.<br>5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.<br>6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<br><br>Source: https://www.accu-chek.com/support/products/guide |

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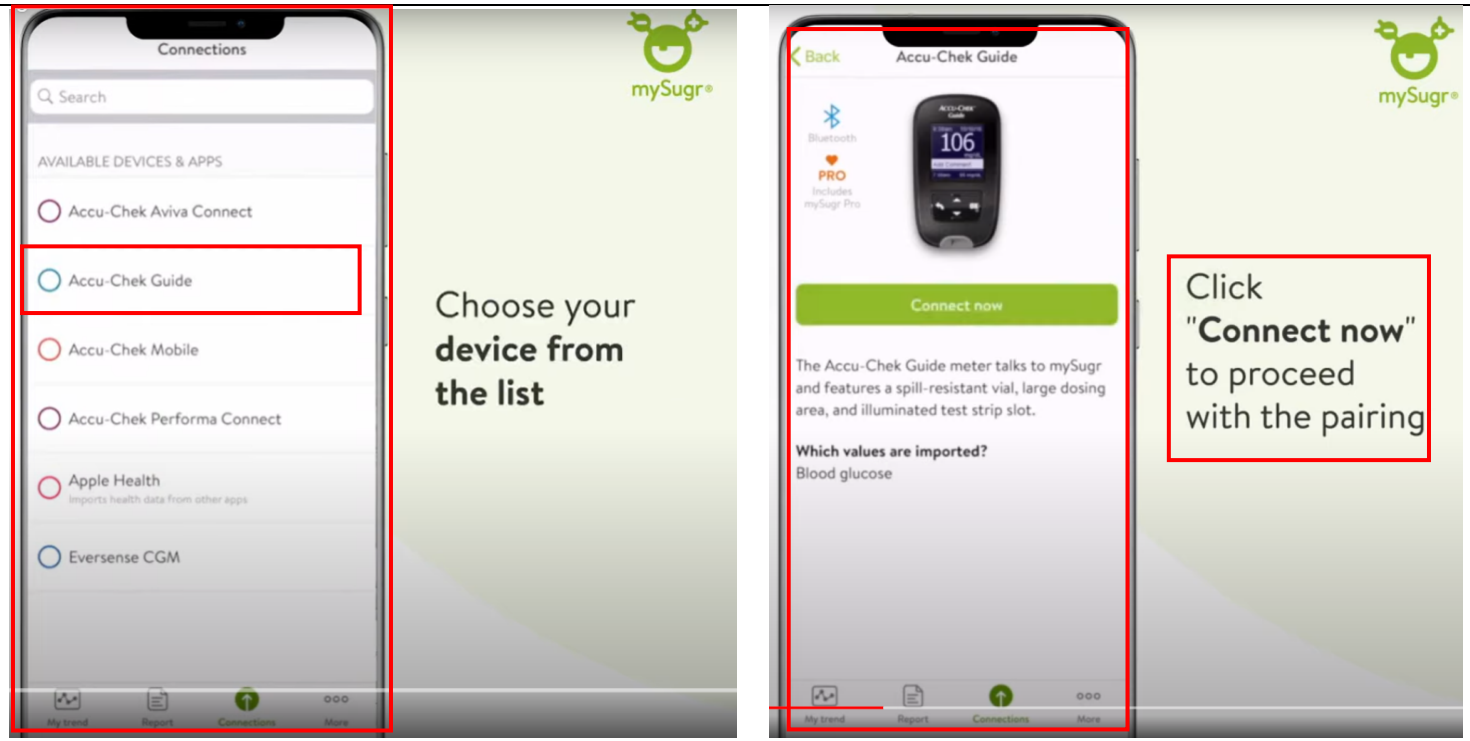


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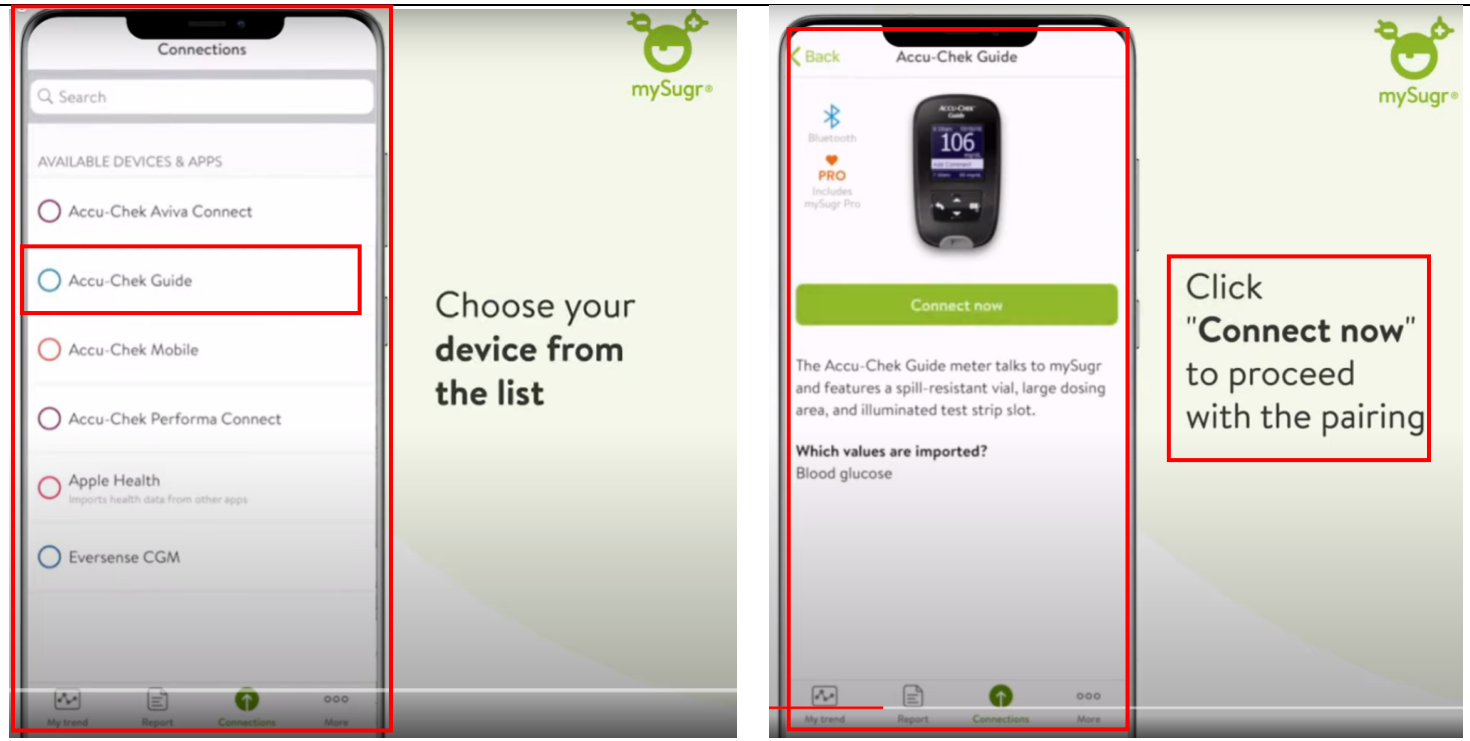


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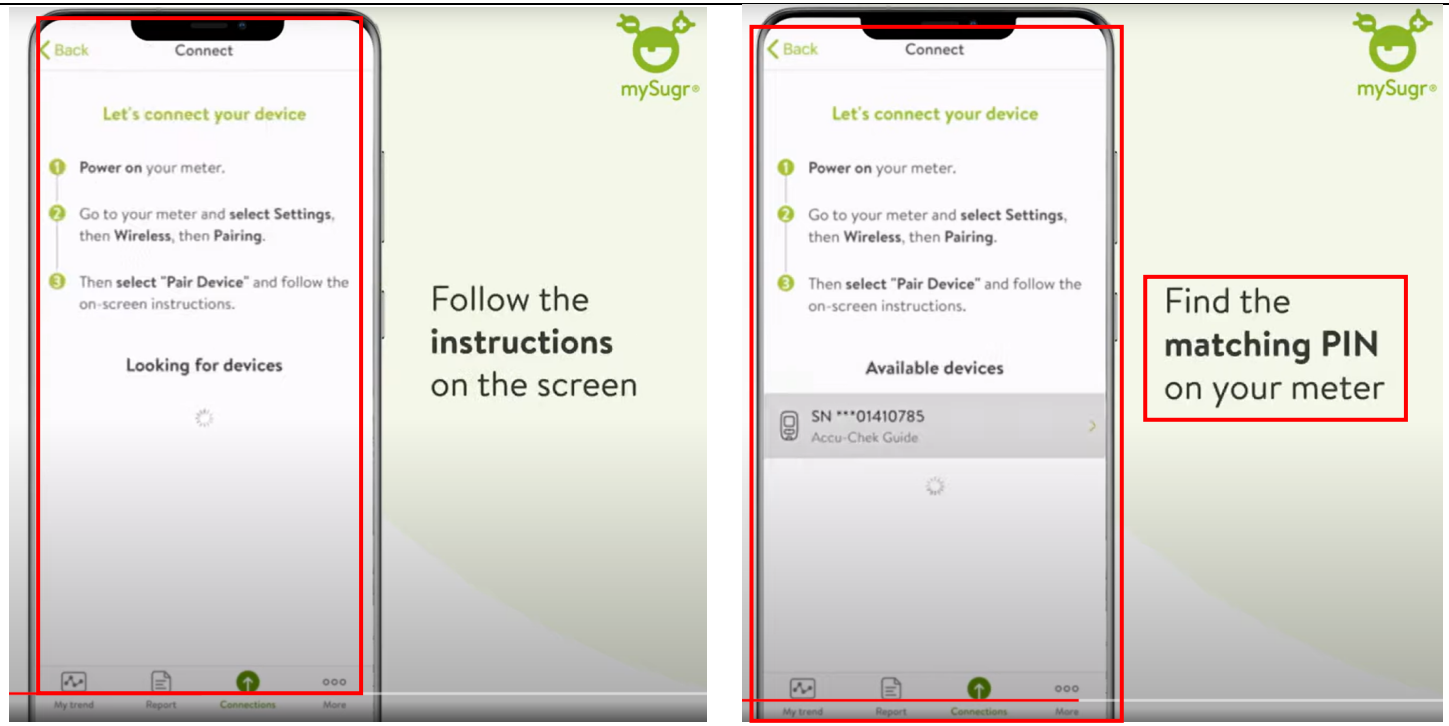


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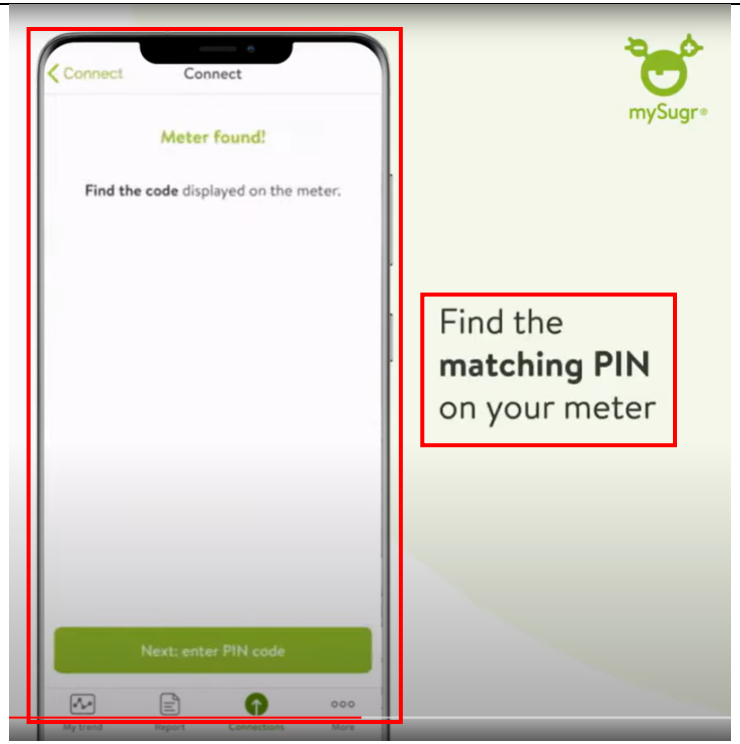


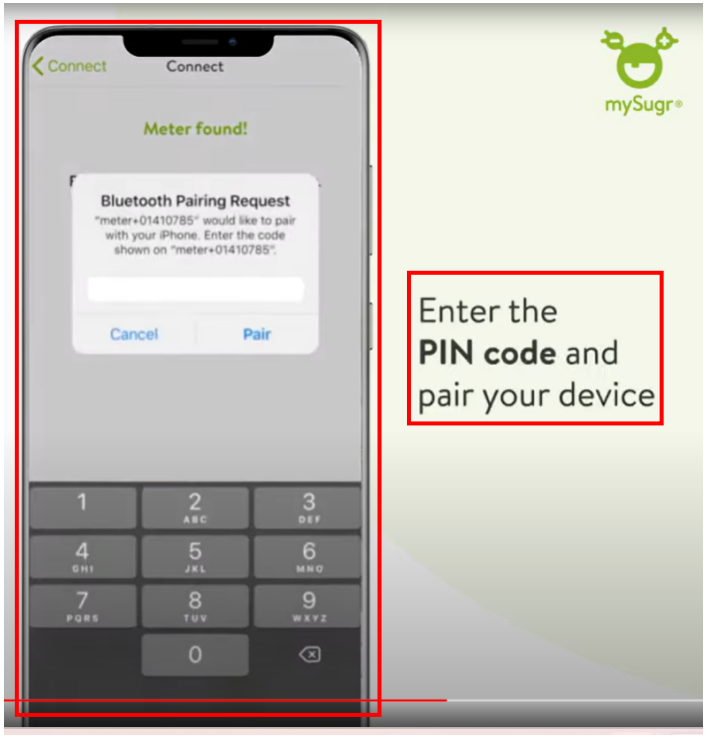


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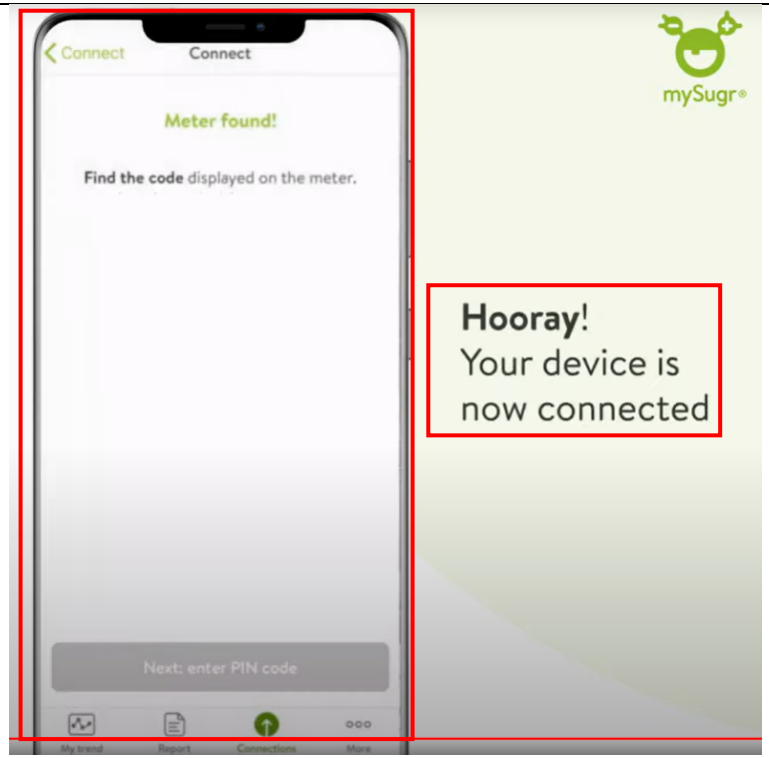


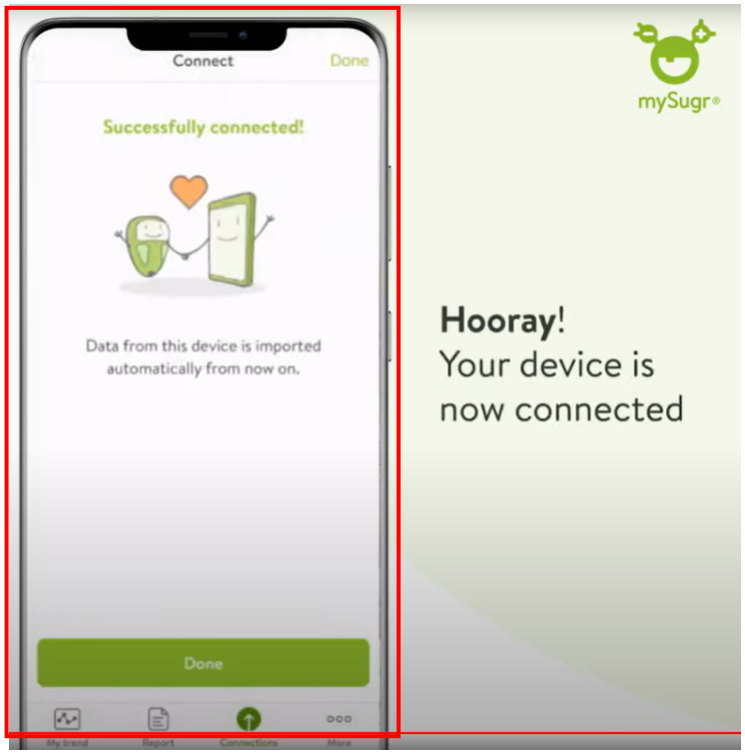


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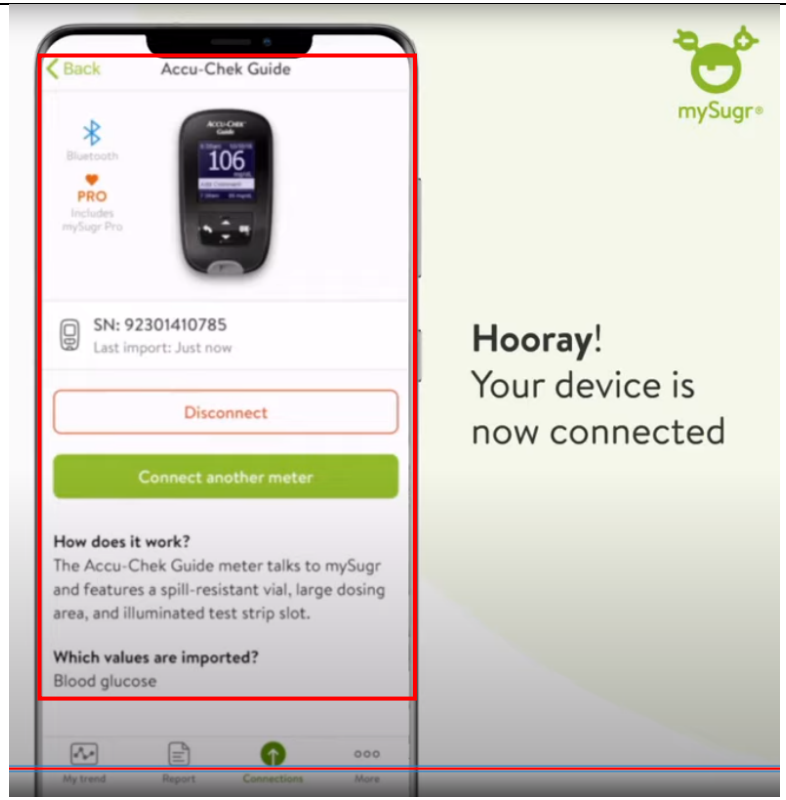
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [32.3] at least one digital media file initially disposed on the | Company makes, uses, sells and/or offers to sell at least one digital media file initially disposed on the wireless mobile device, said media system being structured to detect said wireless mobile device disposed within said wireless range.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the Accu-Chek Guide ("wireless mobile device") employs the Bluetooth network to pair with the mySugr app which is installed on the user's smartphone. The Accu-Chek Guide is within the Bluetooth range of the smartphone |

Exhibit 4 to the Complaint.

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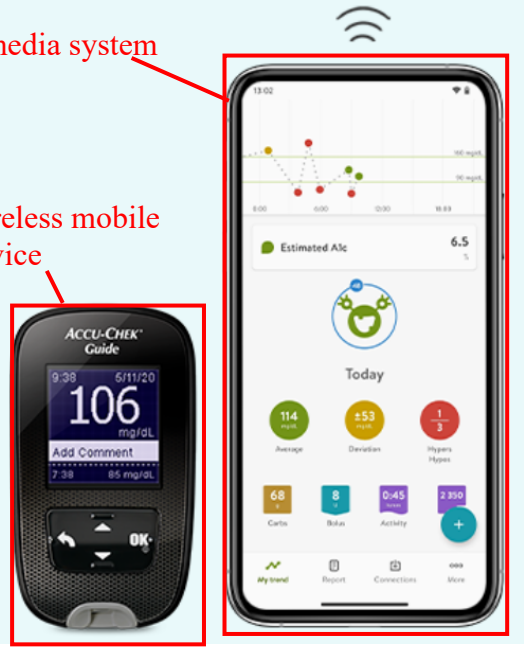
| wireless mobile device, said media system being structured to detect said wireless mobile device disposed within said wireless range, | where the mySugr app is installed. The smartphone, on which the mySugr app is installed, detects the Accu-Chek Guides which are within its Bluetooth range ("media system being structured to detect said wireless mobile device disposed within said wireless range").<br><br>**1 Personalized logging screen**<br>Organize the app the way it suits you better. Remove or add fields depending on your therapy needs.<br><br>**2 mySugr Analytics**<br>The analytics dashboard in the mySugr app provides you with an overview of your recorded blood sugars to help you identify patterns, allowing you to identify areas where your management could be optimized.<br><br>**3 Data Reports & Sharing**<br>mySugr Reports compile your data for easy printing or digital sharing. You can access and download your data anytime, anywhere and feel free to share your reports with your family, caregivers, and healthcare team for accountability and support.<br><br>  <br><br><br>Source: https://www.accu-chek.com/products/mysugr (annotated) |

Exhibit 4 to the Complaint.

**The Accu-Chek Guide System**

The Accu-Chek Guide blood glucose monitoring system is comprised of the Accu-Chek Guide meter and the Accu-Chek Guide test strips.

The Accu-Chek Guide blood glucose monitoring system is intended to quantitatively measure glucose in fresh capillary whole blood from the fingertip, palm, and upper arm as an aid in monitoring the effectiveness of glucose control.

digital media file

Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 2 of 70 (annotated)

**5 mySugr Connectivity**

Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More

Source: https://www.accu-chek.com/products/meters/guide

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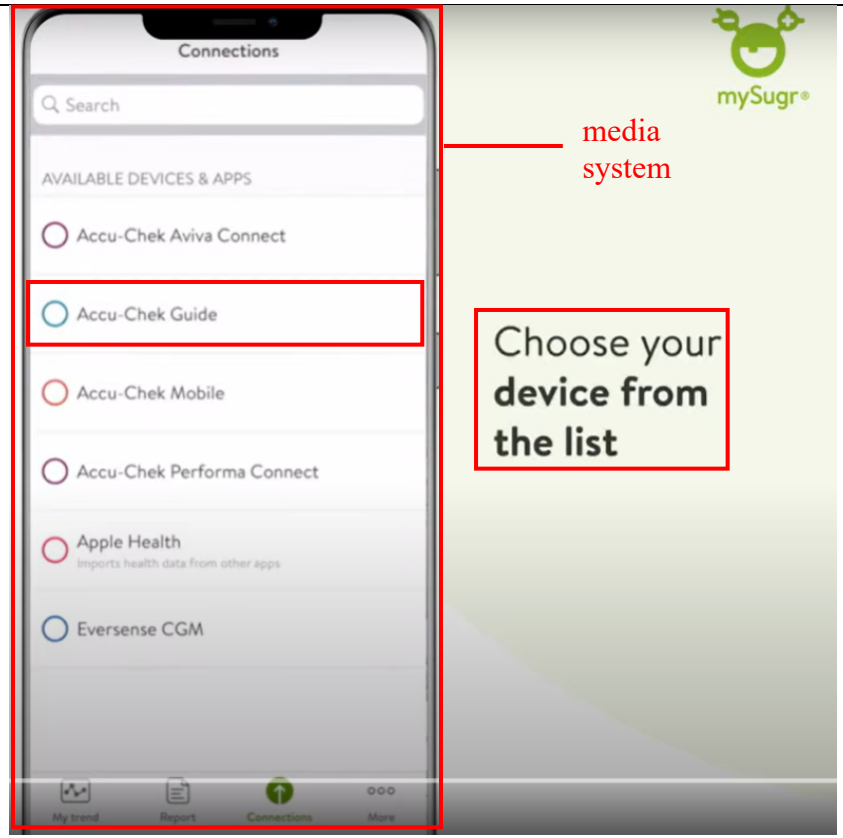


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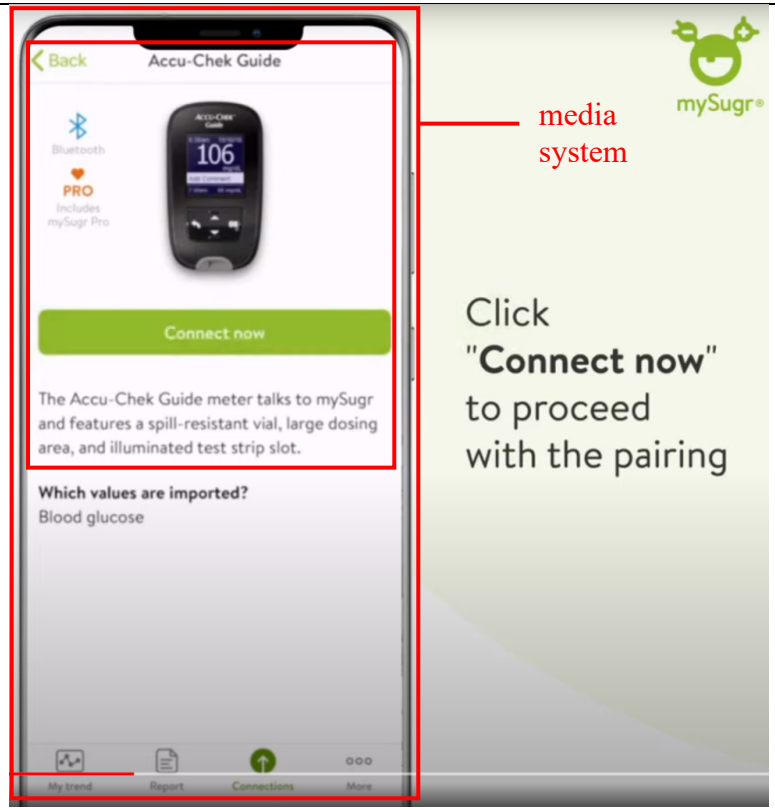


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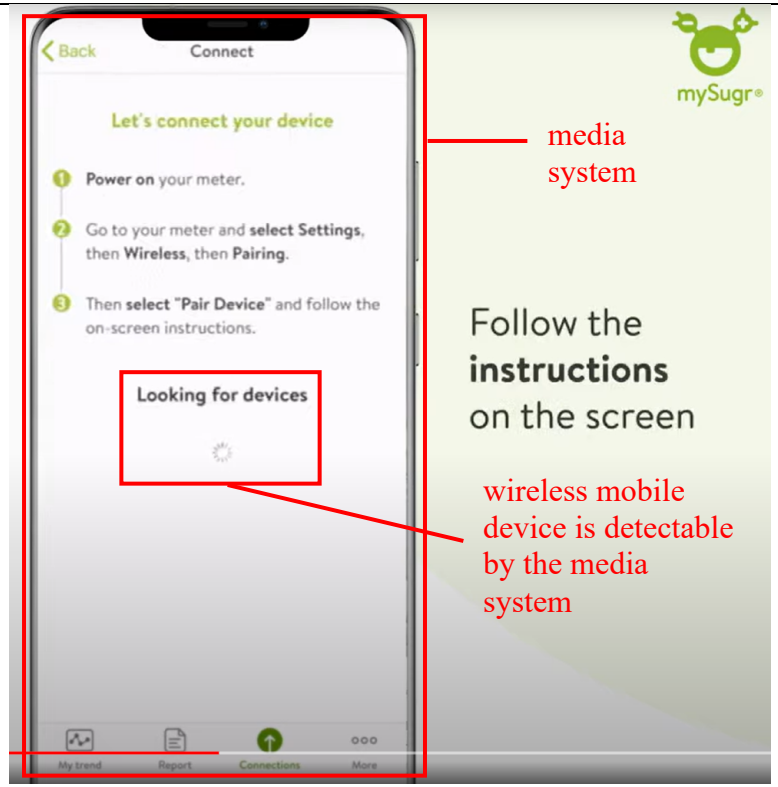


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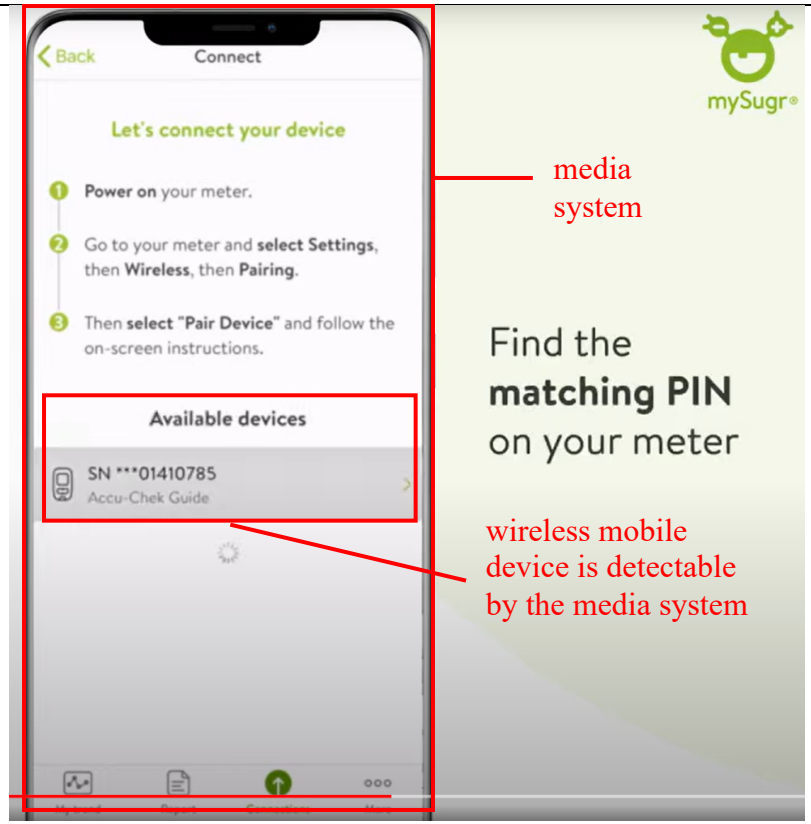


Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:25 (annotated)

Exhibit 4 to the Complaint.

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| [32.4] a communication link structured to | Company makes, uses, sells and/or offers to sell a communication link structured to dispose said media system and said wireless mobile device in a communicative relation with one another via said at least one interactive computer network.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents. |

Exhibit 4 to the Complaint.

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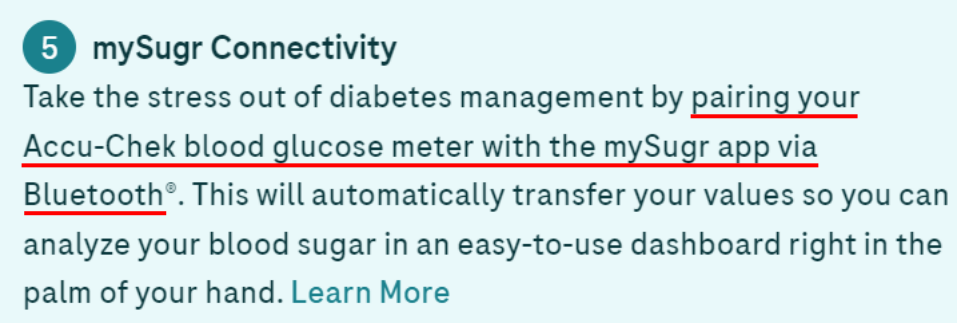
| dispose said media system and said wireless mobile device in a communicat-ive relation with one another via said at least one interactive computer network, | For example, mySugr app installed on the user's smartphone and Accu-Chek Guide establishes a connection through Bluetooth pairing. This process creates a Bluetooth channel ("communication link structured to dispose") between Accu-Chek Guide meter and mySugr app for the transfer of the measured blood sugar levels ("a communicative relation with one another via said at least interactive computer network").<br><br>  <br>Source: https://www.accu-chek.com/products/meters/guide |

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| | **Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that<br>1. utilizes Bluetooth low energy technology,<br>2. it is paired with, and<br>3. has an application that can accept the meter data.<br>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70 |

Exhibit 4 to the Complaint.

**How can I transfer Accu-Chek meter data to mySugr?**

Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.

Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:

1. If you are using an Apple device, make sure Bluetooth® is turned on.

a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.

2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)
3. Open the mySugr app and go to the “Connections” tab in the bar menu located at the bottom of the screen.
4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.
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Source: https://www.accu-chek.com/support/products/guide

Exhibit 4 to the Complaint.

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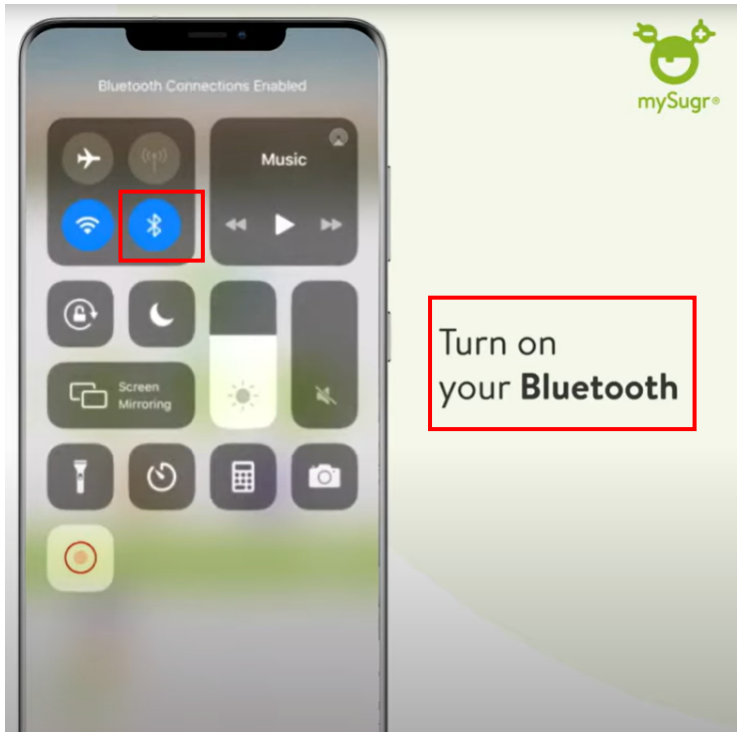
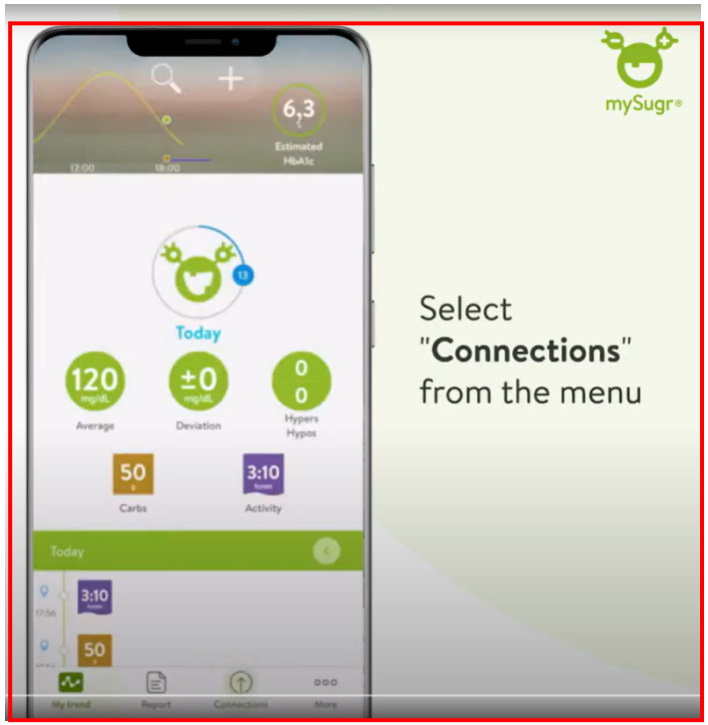
| |   <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:07, 0:09 |

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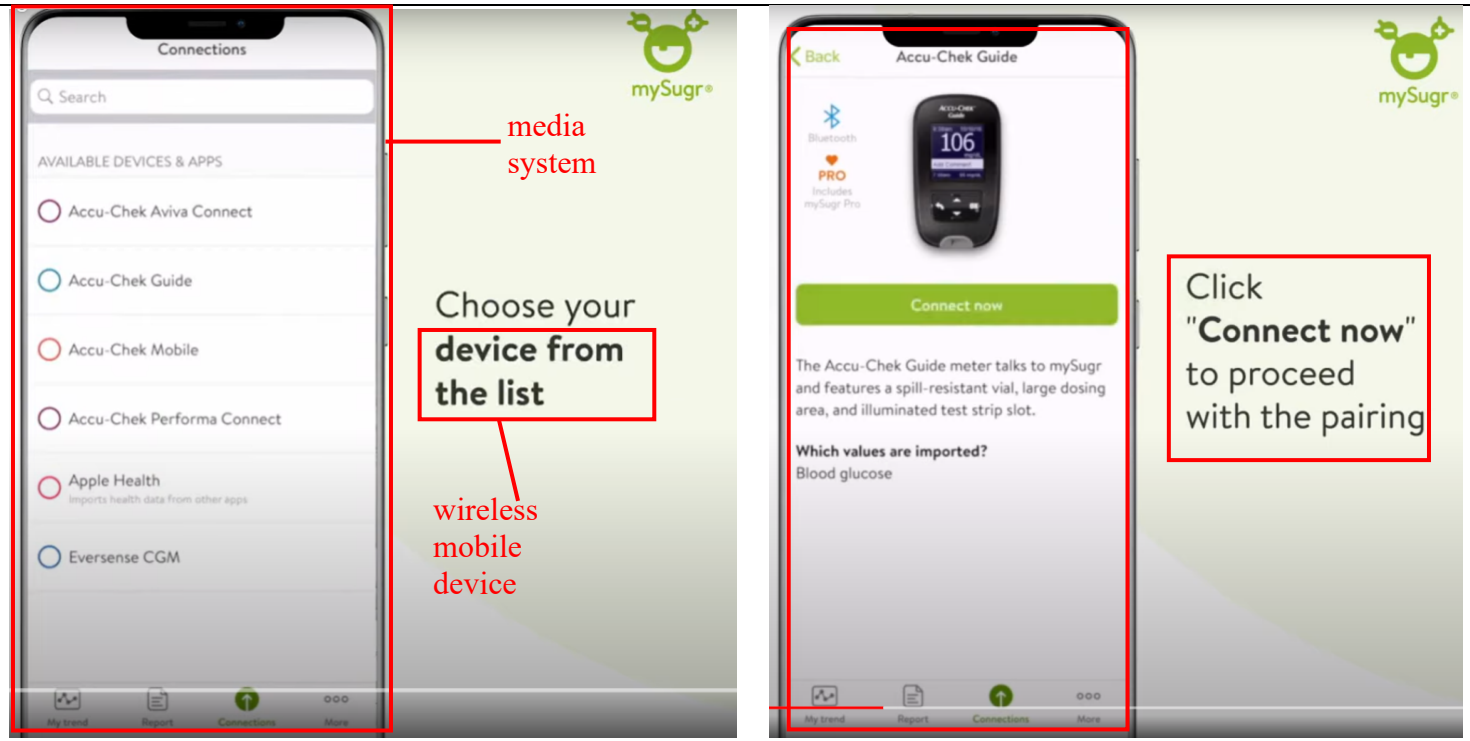


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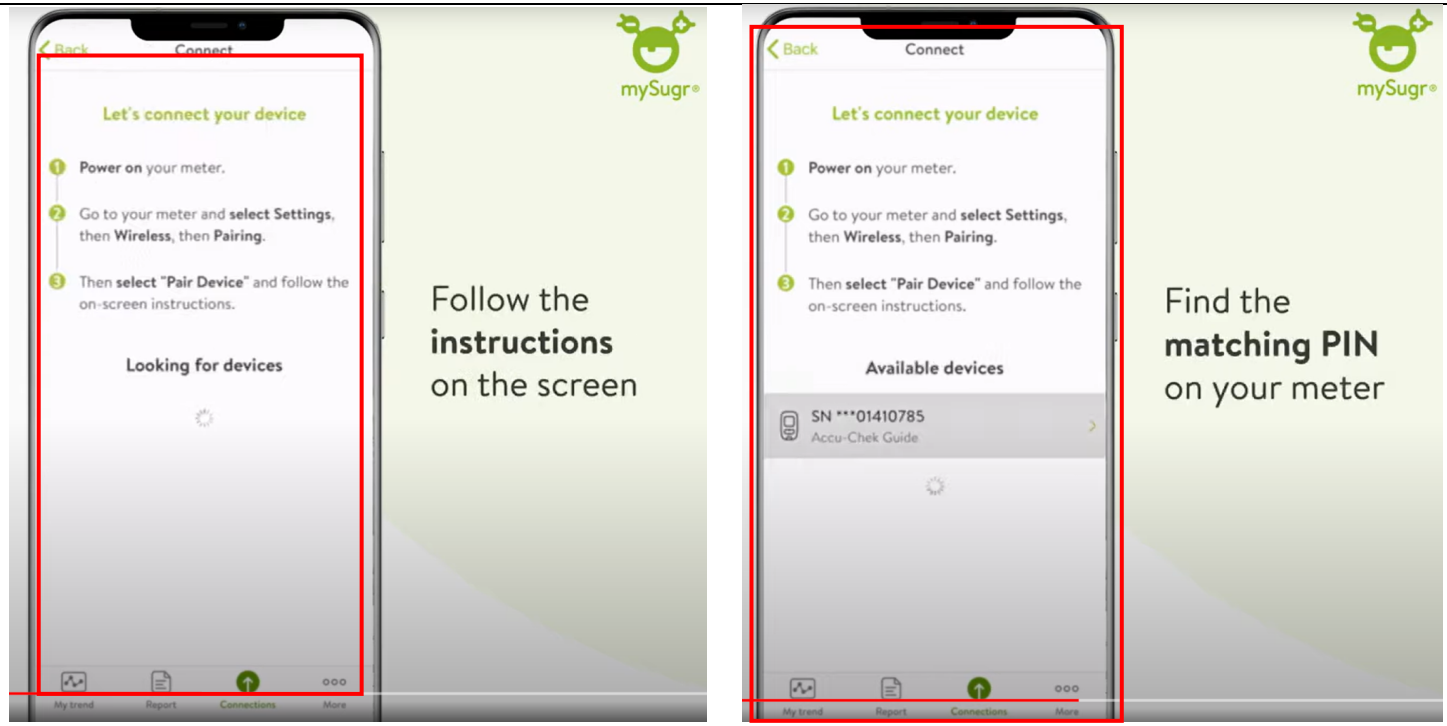


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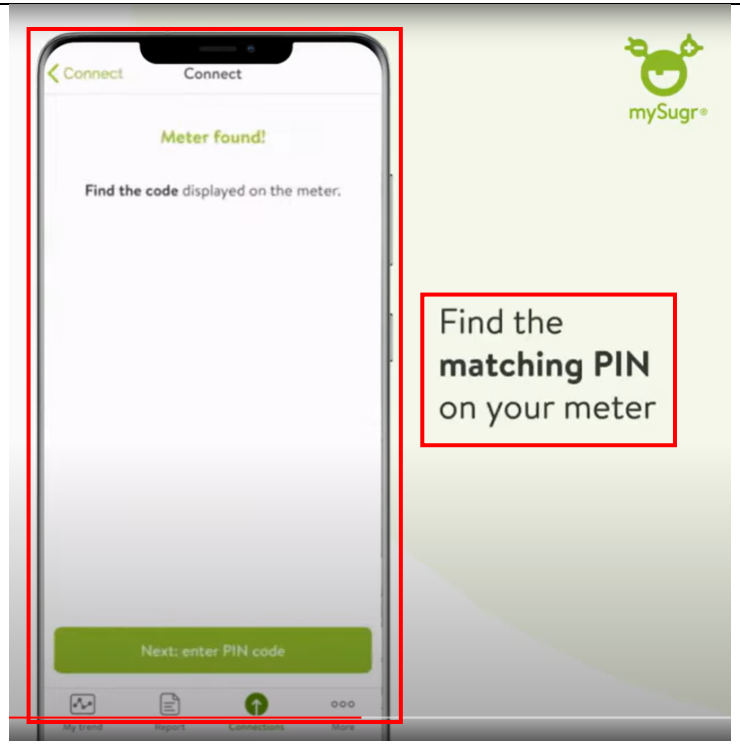


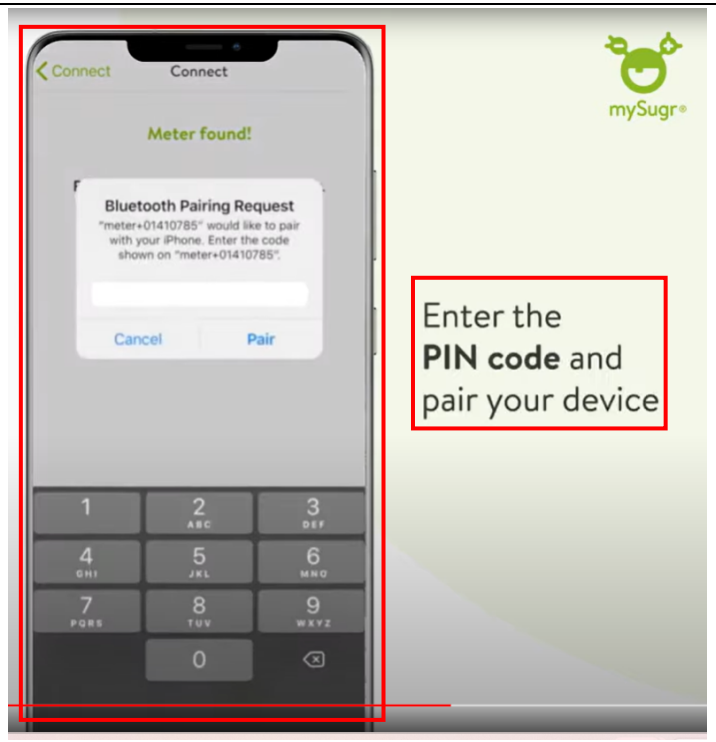


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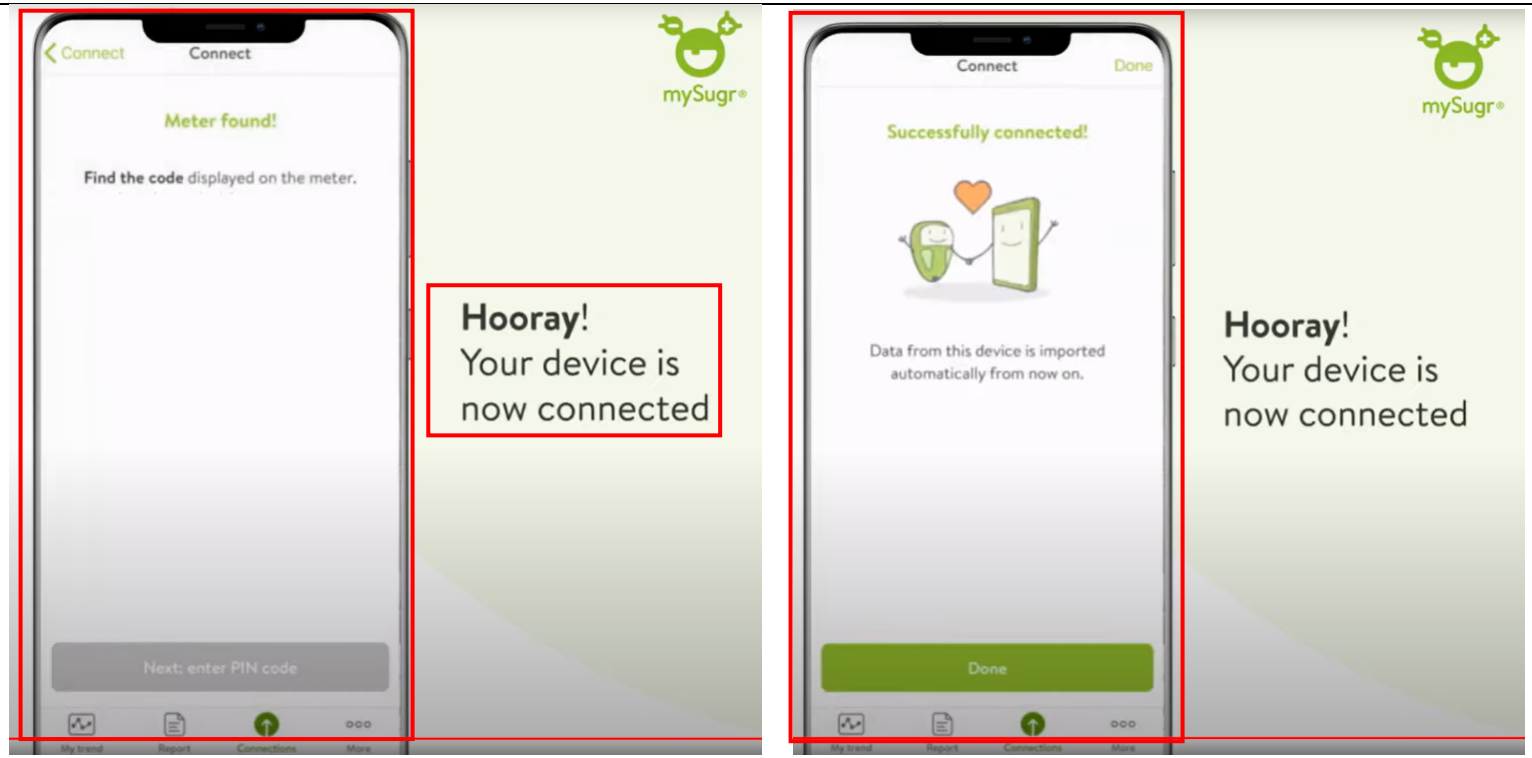


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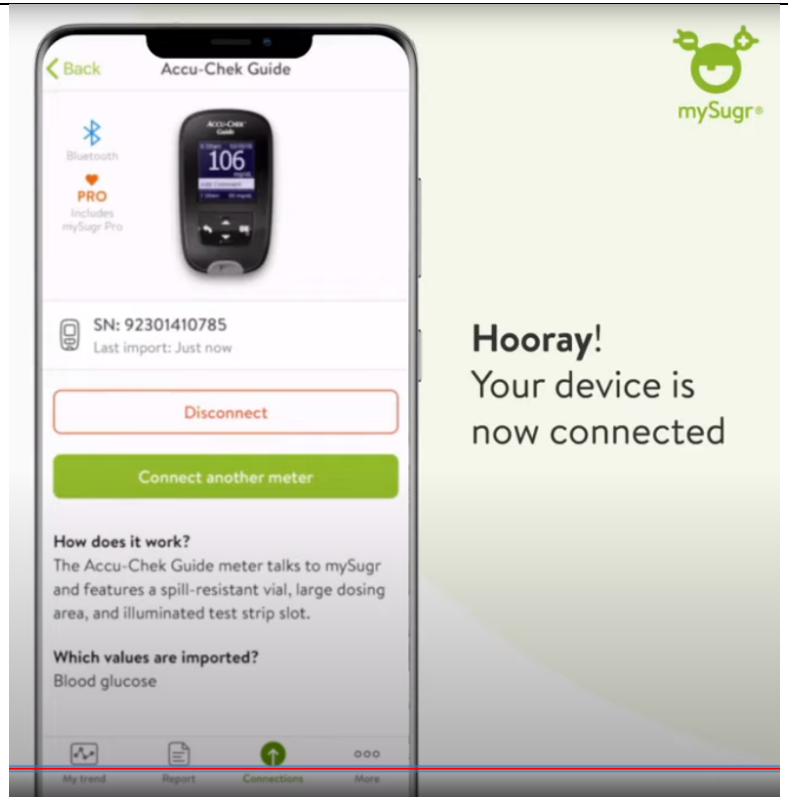
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [32.5] said communication link being initiated by said media system, | Company makes, uses, sells and/or offers to sell said communication link being initiated by said media system.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the mySugr app, installed on the smartphone, initiates Bluetooth pairing to establish the communication channel with the Accu-Chek Guide. |

Exhibit 4 to the Complaint.

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a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.

2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)
3. Open the mySugr app and go to the “Connections” tab in the bar menu located at the bottom of the screen.
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5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.
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Source: https://www.accu-chek.com/support/products/guide

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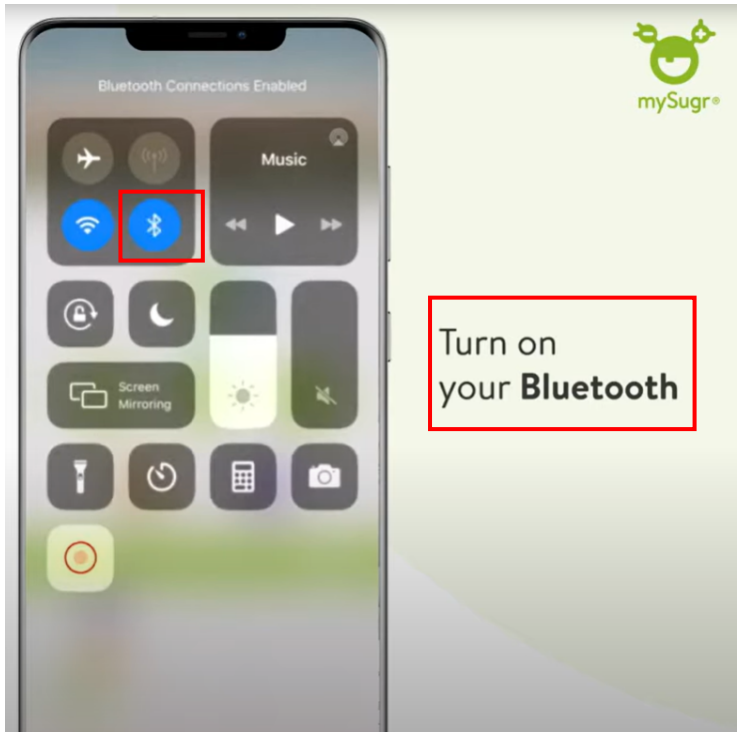


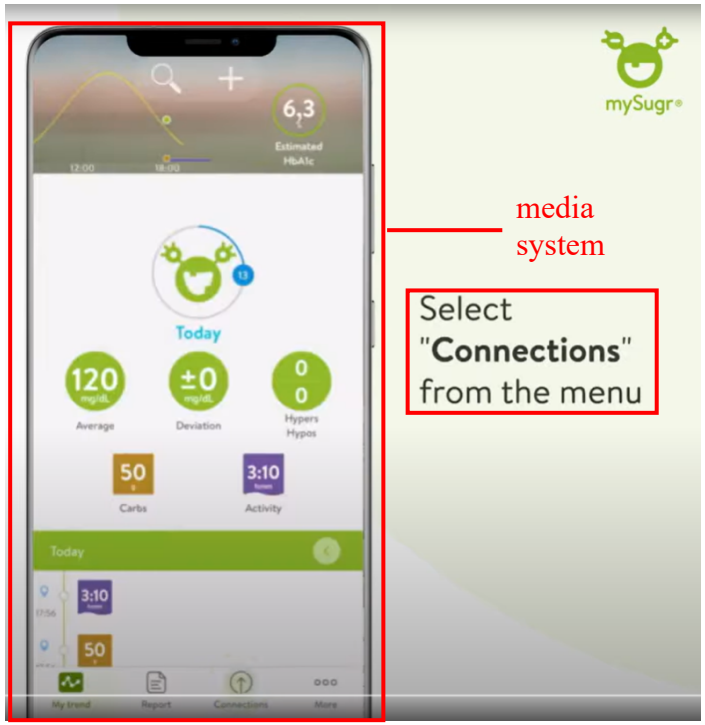


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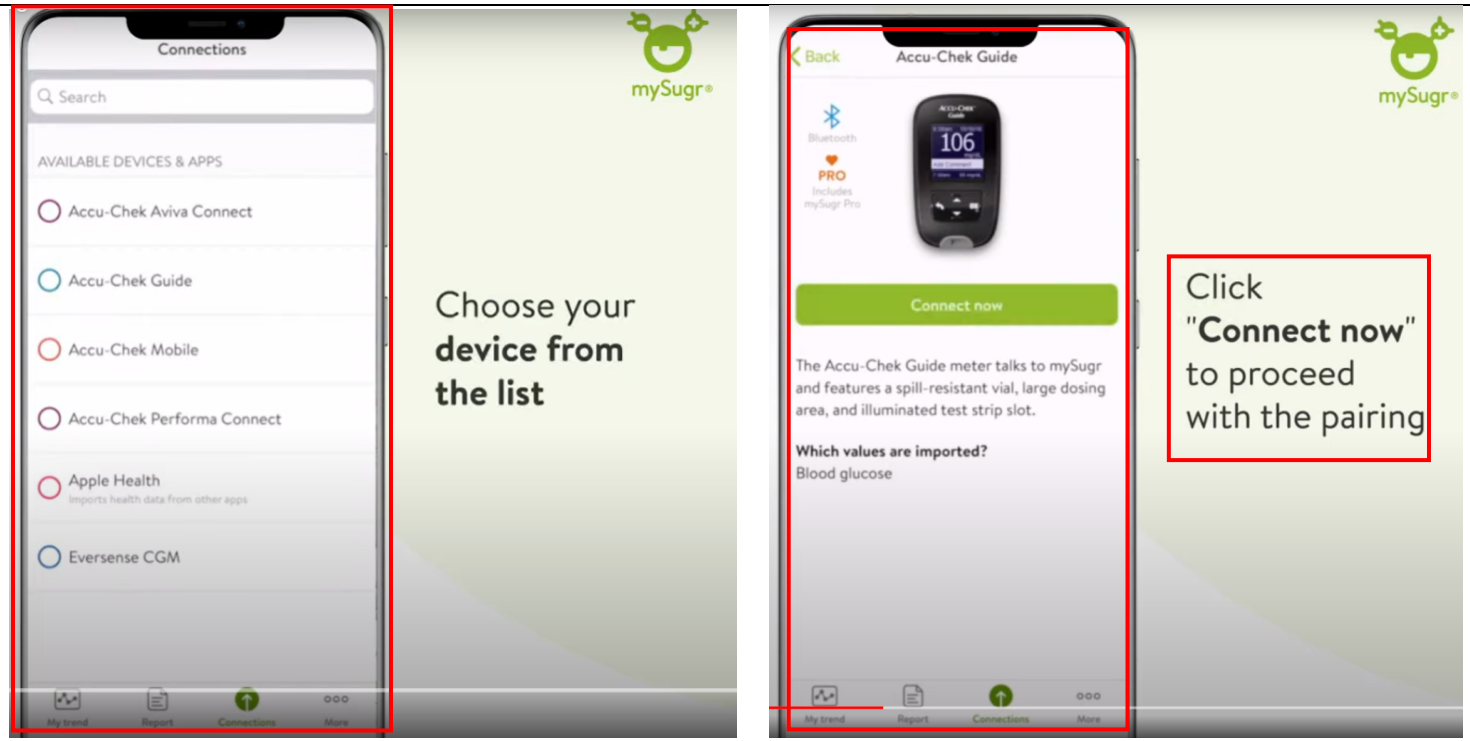


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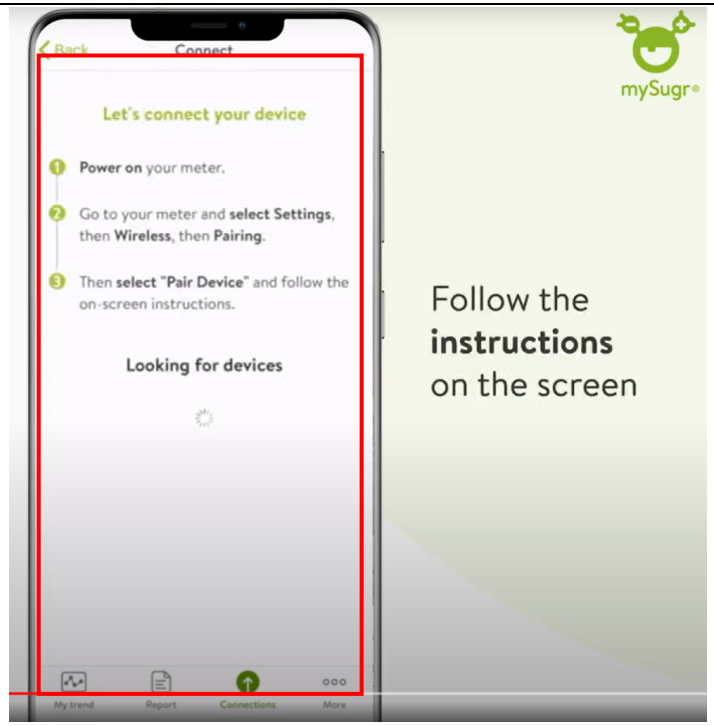
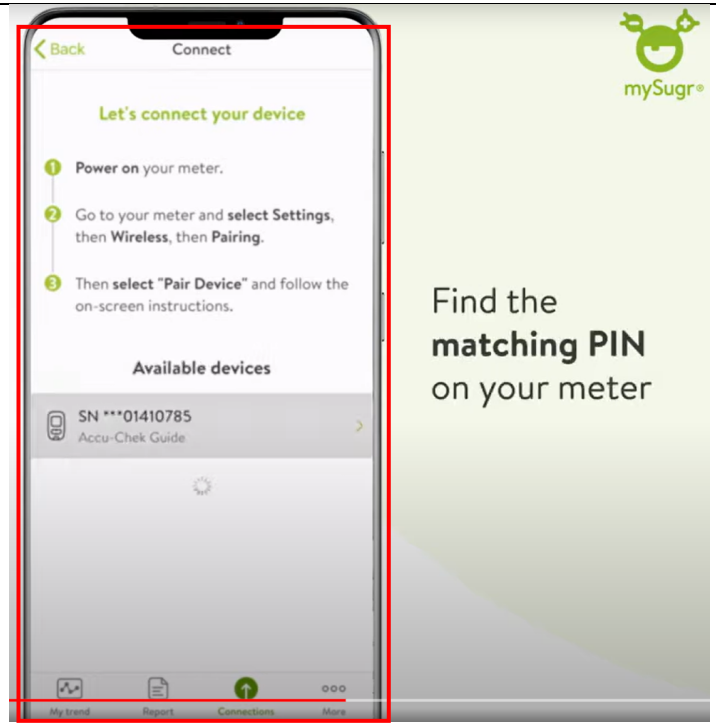
| |  <br>  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:19, 0:25 |

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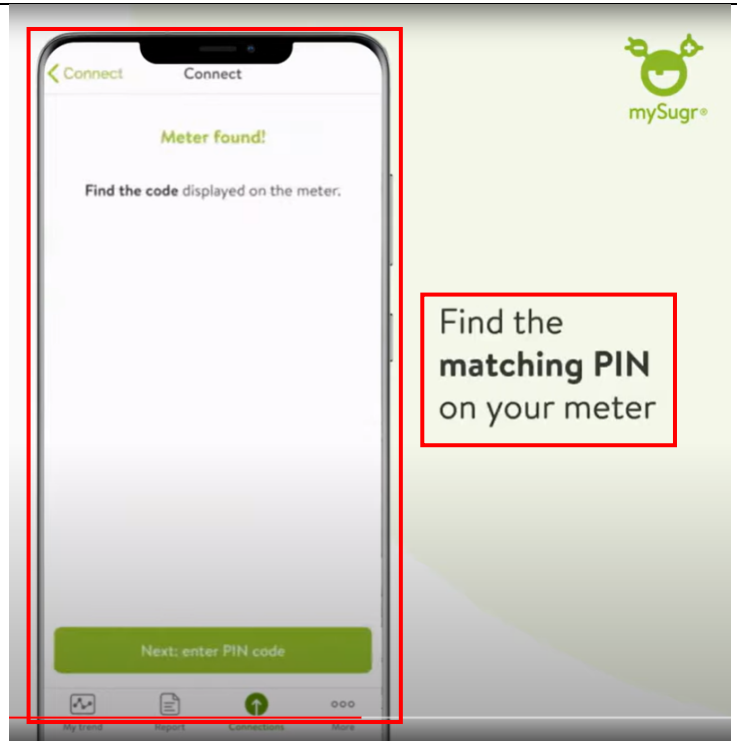


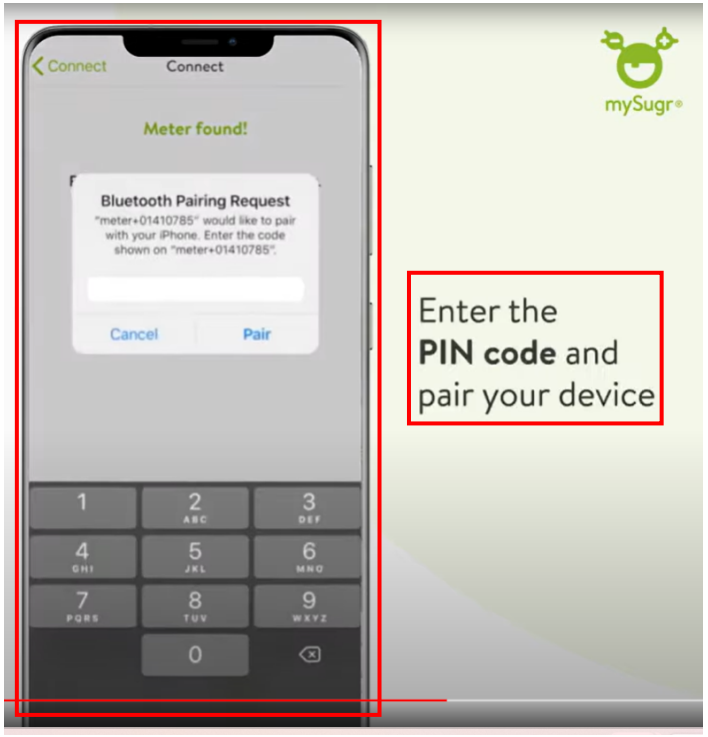


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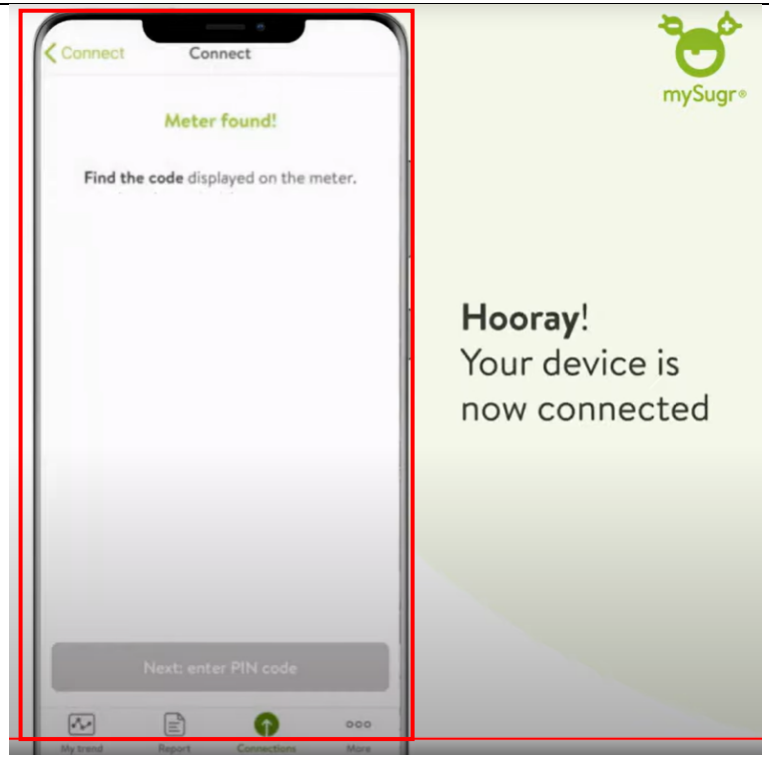


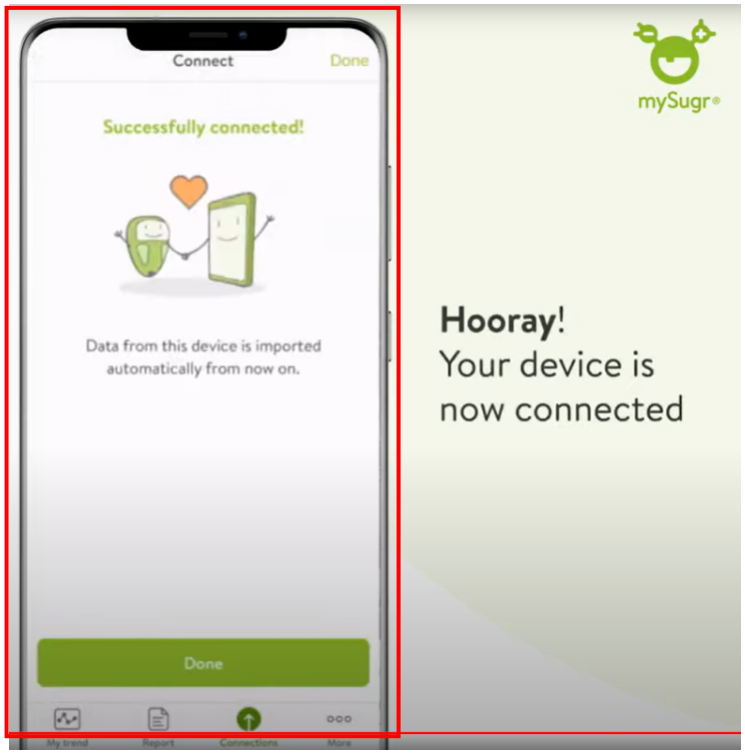


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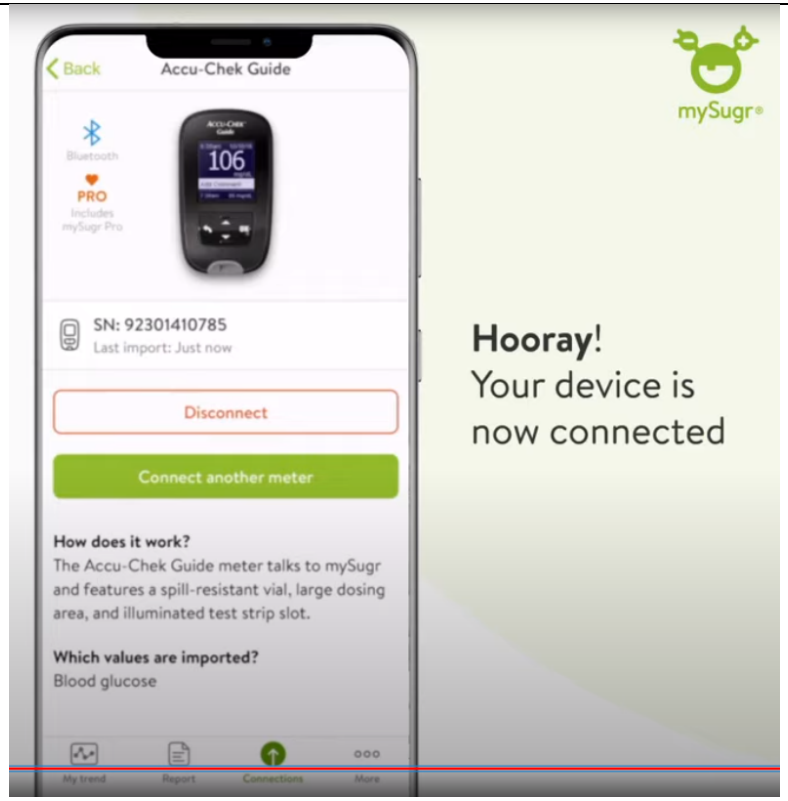
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [32.6] said wireless mobile device and media system being structured to | Company makes, uses, sells and/or offers to sell said wireless mobile device and media system being structured to transmit said at least one digital media file therebetween via said communication link.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, after establishing a Bluetooth channel ("communication link") between the mySugr app installed on the user's smartphone and the Accu-Chek Guide, the Accu-Chek Guide ("wireless mobile device") sends ("structured to |

Exhibit 4 to the Complaint.

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| transmit said at least one digital media file therebetween via said communication link, and | transmit") the measured blood sugar levels ("at least one digital media file") to the mySugr app installed on the user's smartphone ("media system").<br><br>**5 mySugr Connectivity**<br>Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More<br>Source: https://www.accu-chek.com/products/meters/guide<br><br>**Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that<br>1. utilizes Bluetooth low energy technology,<br>2. it is paired with, and<br>3. has an application that can accept the meter data.<br>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70 |

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| | **How can I transfer Accu-Chek meter data to mySugr?** ^<br><br>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.<br><br>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:<br><br>1. If you are using an Apple device, make sure Bluetooth® is turned on.<br><br>a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.<br><br>2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)<br>3. Open the mySugr app and go to the “Connections” tab in the bar menu located at the bottom of the screen.<br>4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.<br>5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.<br>6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<br>Source: https://www.accu-chek.com/support/products/guide |

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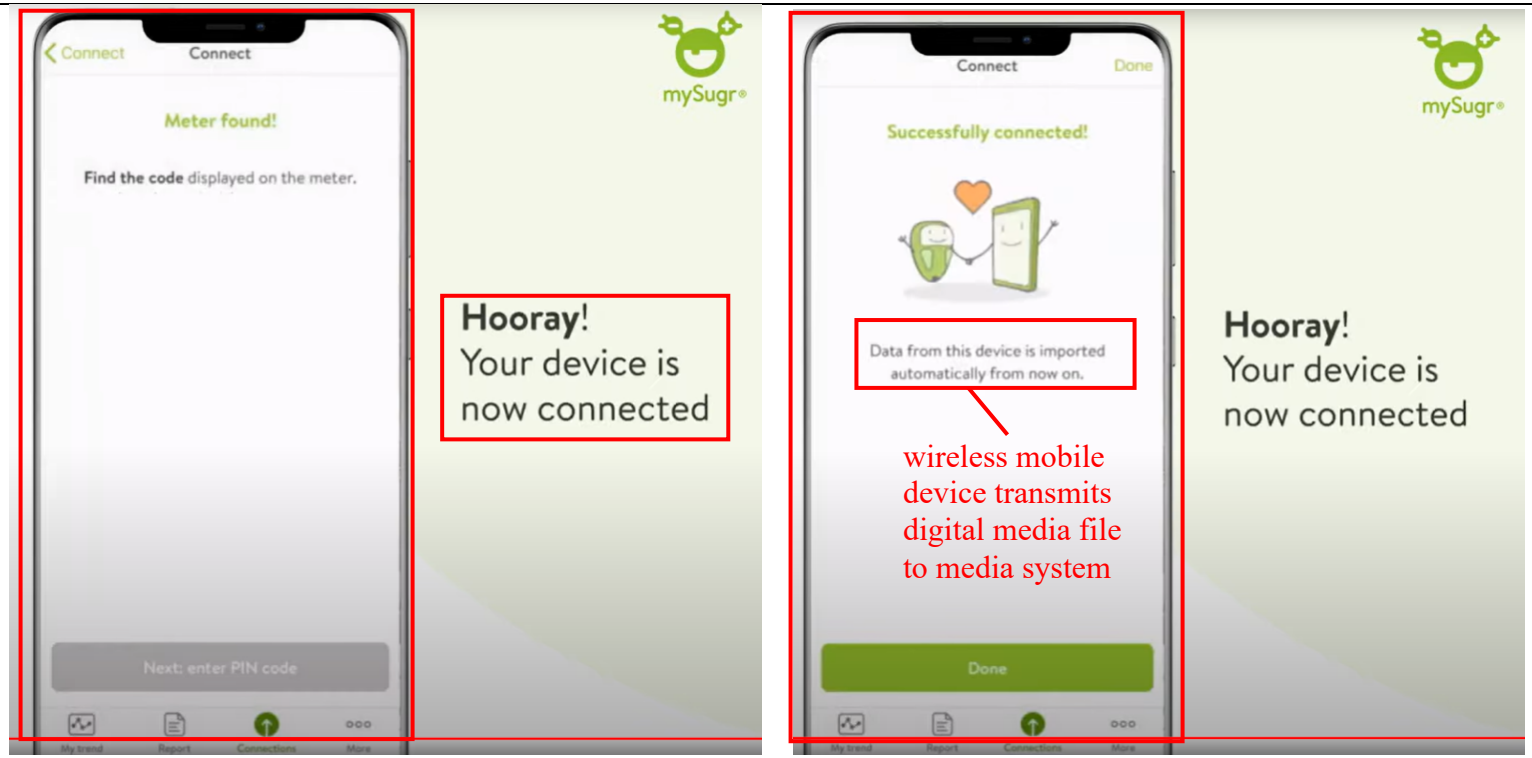


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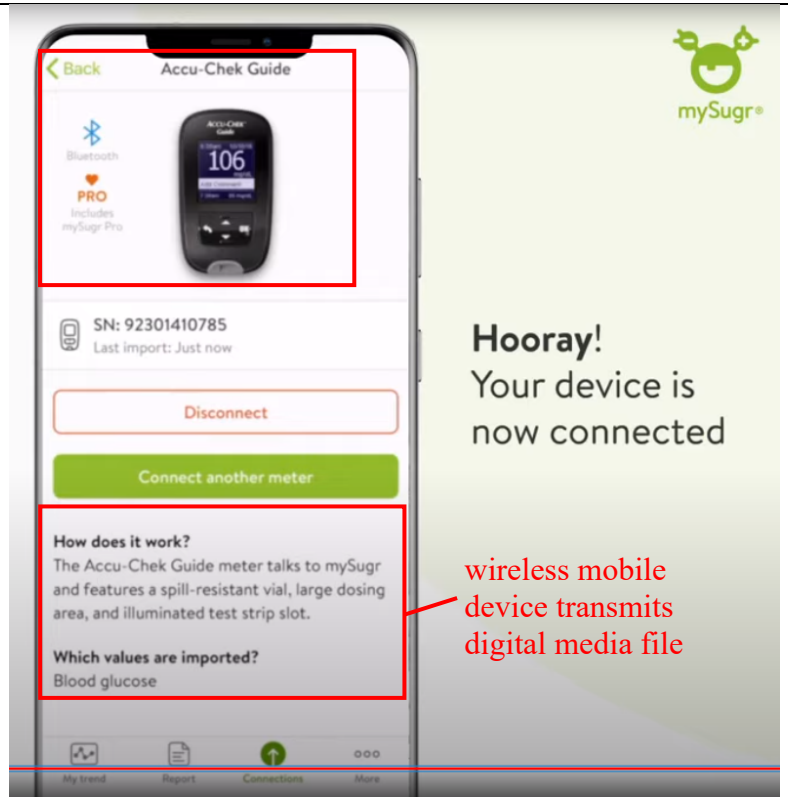
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43 (annotated)<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [32.7] said communication link is structured to bypass the security measure of | Company makes, uses, sells and/or offers to sell said communication link is structured to bypass the security measure of the media system for a limited permissible use of the communication link by the wireless mobile device for only transferring the at least one digital media file to, and displaying the at least one digital media file on, the media system.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents. |

Exhibit 4 to the Complaint.

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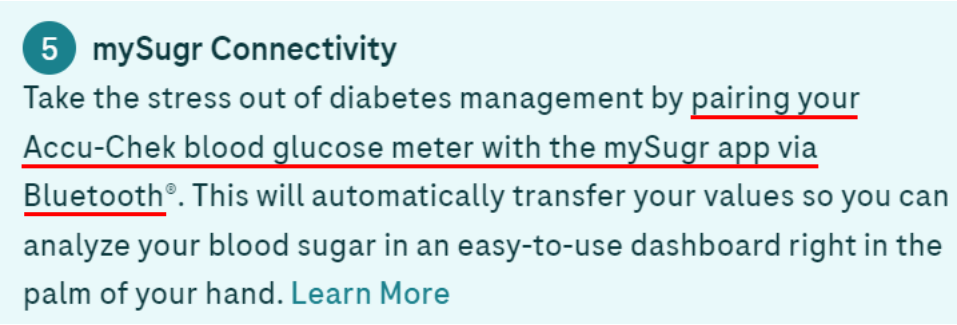
| the media system for a limited permissible use of the communication link by the wireless mobile device for only transferring the at least one digital media file to, and displaying the at least one digital media file on, the media system. | For example, the Accu-Chek Guide meter and the mySugr app do not require users to input a PIN ("security measure") every time they communicate. Instead, the PIN input is necessary during the initial pairing process, and thereafter, the devices automatically exchange data without requiring users to re-enter the PIN ("security measure of the media system"). The Accu-Chek Guide meter utilizes that communication channel exclusively for transmitting the measured blood sugar levels to the mySugr app ("bypass the security measure of the media system for a limited permissible use of the communication link by the wireless mobile device for only transferring the at least one digital media file"). The mySugr app displays the received the measured blood sugar levels. Therefore, upon information and belief, the Bluetooth channel created between Accu-Chek Guide meter and mySugr app bypass the security measure of the media system.<br><br>  <br>Source: https://www.accu-chek.com/products/meters/guide |

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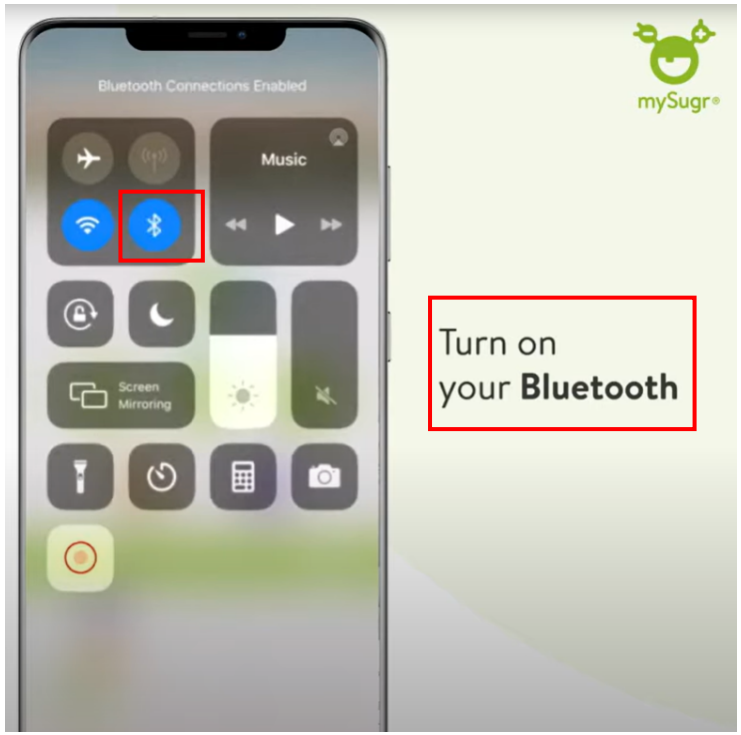


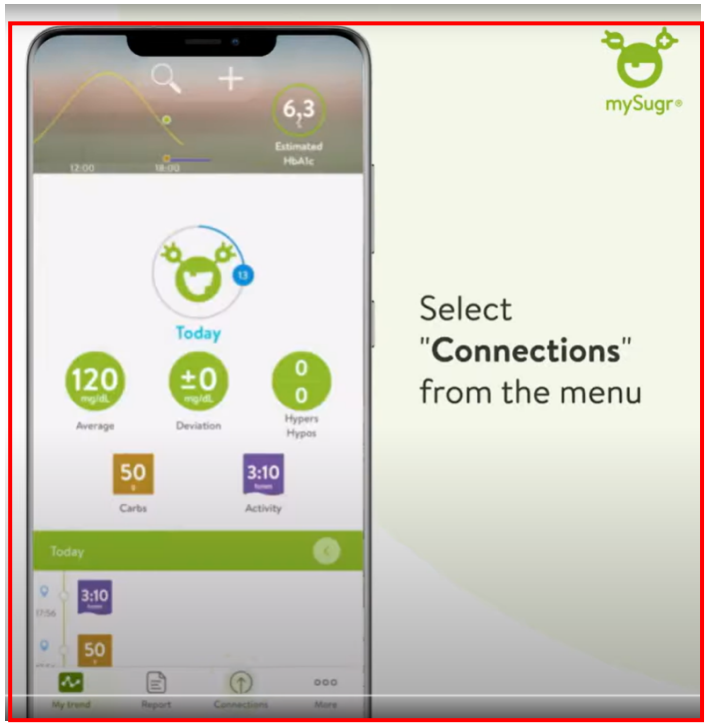


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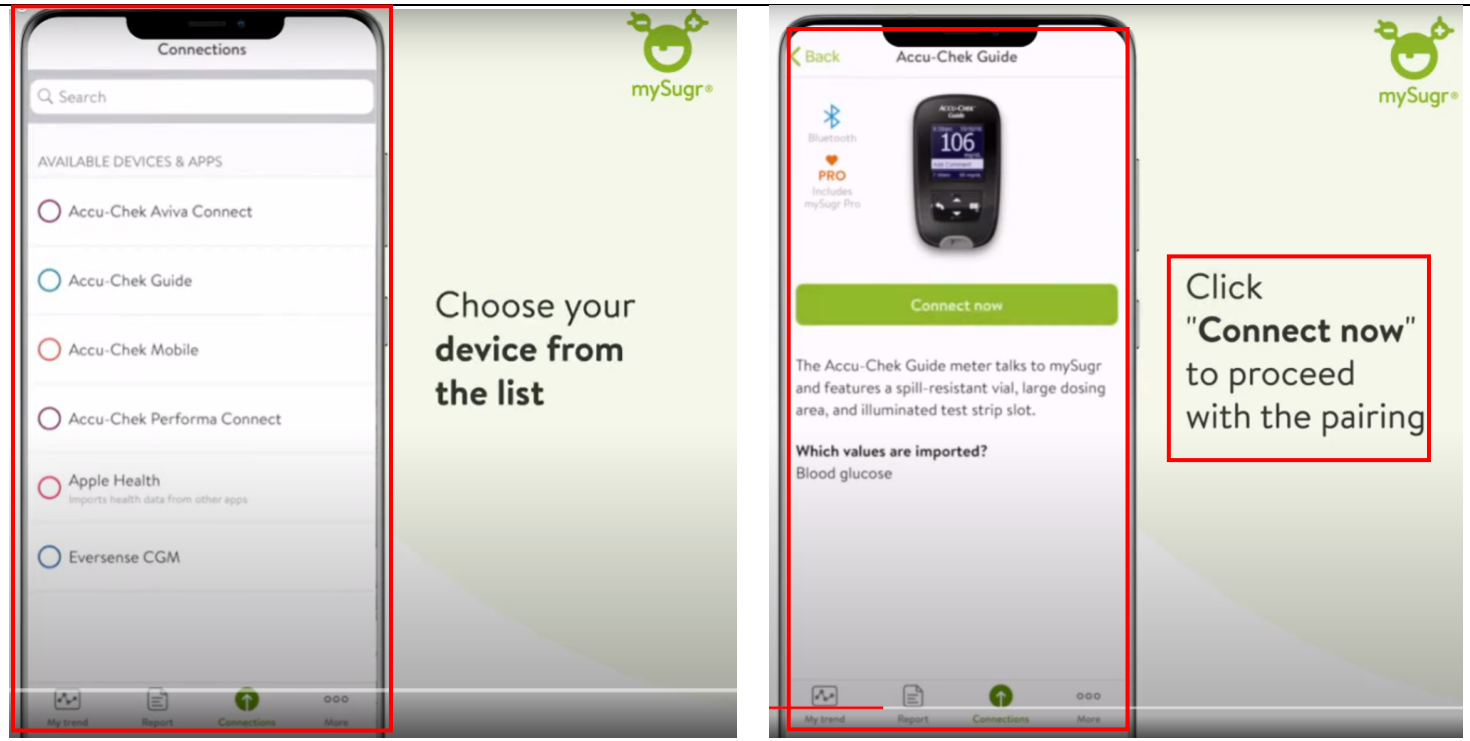


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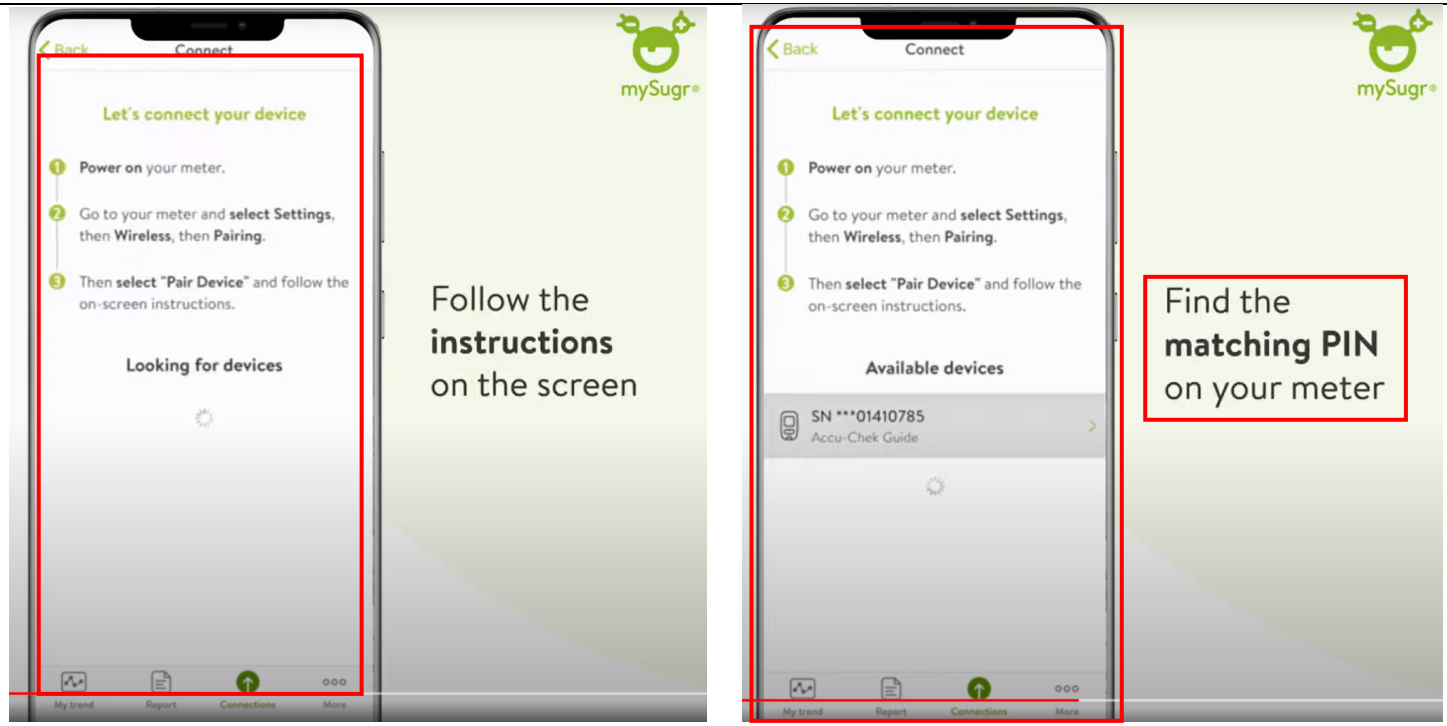


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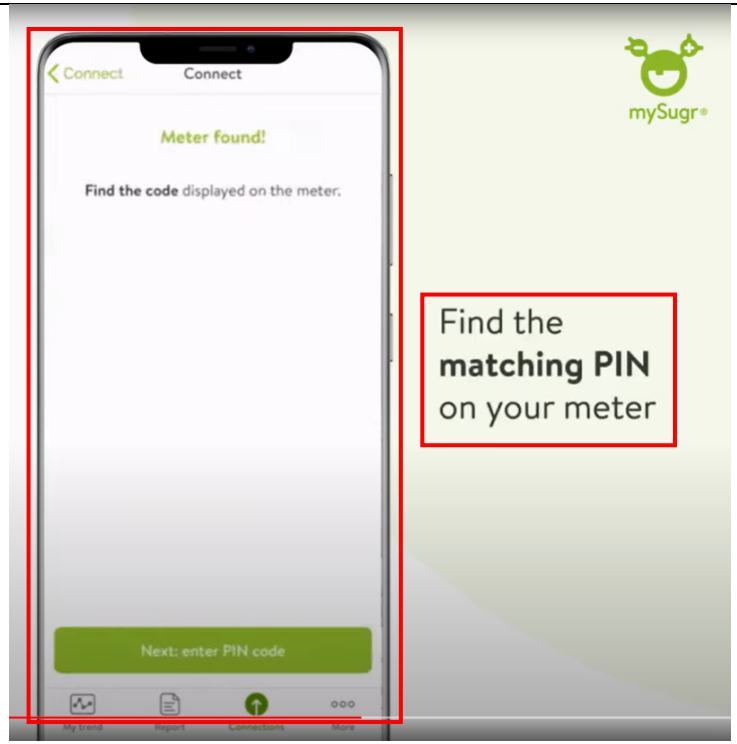


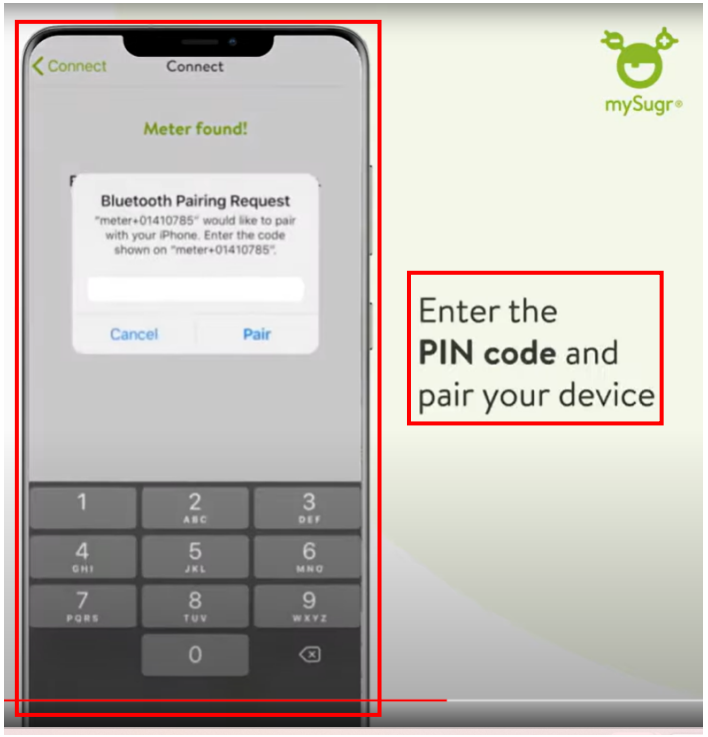


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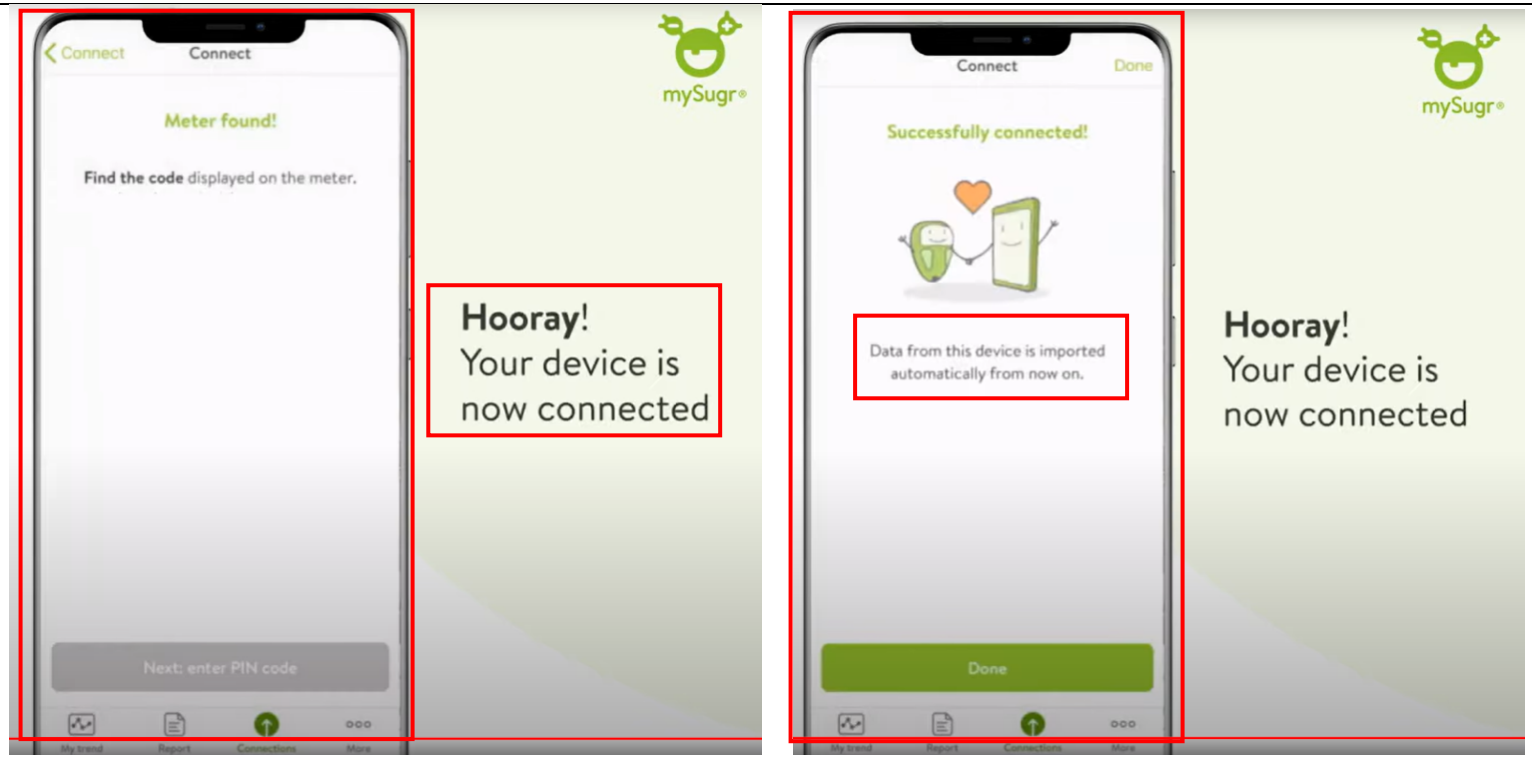


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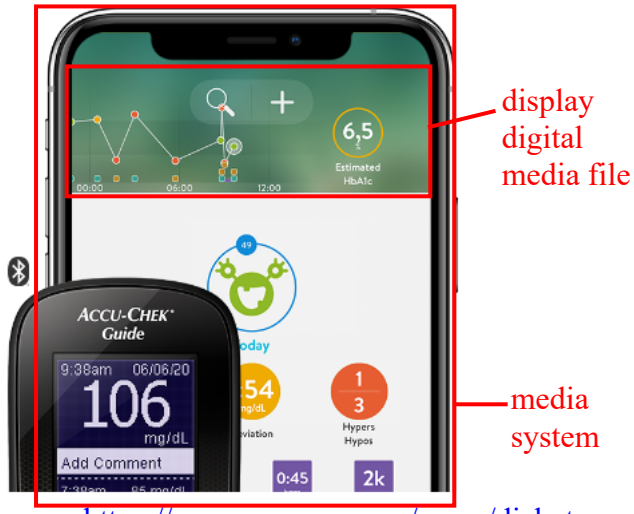
## Connecting your devices & services

At mySugr, we're of the humble opinion that paper is for origami, not for logbooks. That's why when you connect your diabetes device with mySugr, your connected meter will automatically log your blood sugar readings into the app. No need to bother flicking through pages anymore! Everything's available in a few taps in the app.

Connection Brings Freedom!

- Automatic data importing saves tons of time
- Connect your blood glucose meter and avoid manual logging errors
- Connect your Google Fit® or Apple Health® tracker to easily track fitness data
- Enjoy extra time in your days thanks to the Pairing feature

Source: https://www.mysugr.com/en-us/diabetes-app/




Source: https://www.mysugr.com/en-us/diabetes-app/ (annotated)

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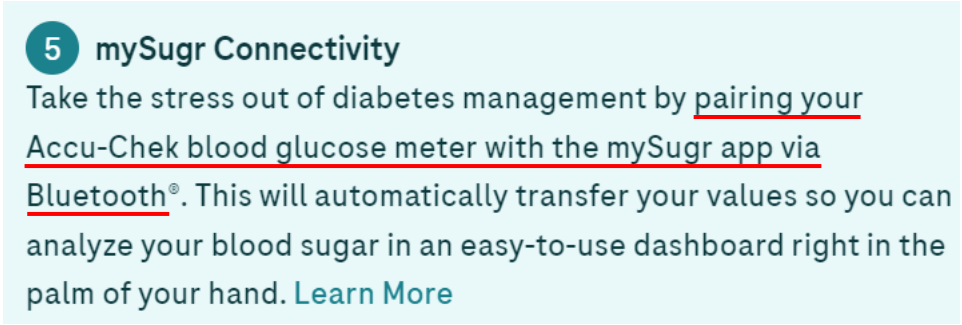
| | Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to the production of such source code by Company. |
| [34] The wireless mobile device of claim 32, wherein the transmission of the at least one digital media file from the wireless mobile device to the media system completely bypasses the security measure. | Company makes, uses, sells and/or offers to sell the transmission of the at least one digital media file from the wireless mobile device to the media system completely bypasses the security measure.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the Accu-Chek Guide meter and the mySugr app do not require users to input a PIN ("security measure") every time they communicate. Instead, the PIN input is necessary during the initial pairing process, and thereafter, the devices automatically exchange data without requiring users to re-enter the PIN ("bypasses the security measure"). Therefore, upon information and belief, the Bluetooth channel created between Accu-Chek Guide meter and mySugr app completely bypass the security measure.<br><br>  <br>Source: https://www.accu-chek.com/products/meters/guide |

Exhibit 4 to the Complaint.

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| | **Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that<br>1. utilizes Bluetooth low energy technology,<br>2. it is paired with, and<br>3. has an application that can accept the meter data.<br>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70 |

Exhibit 4 to the Complaint.

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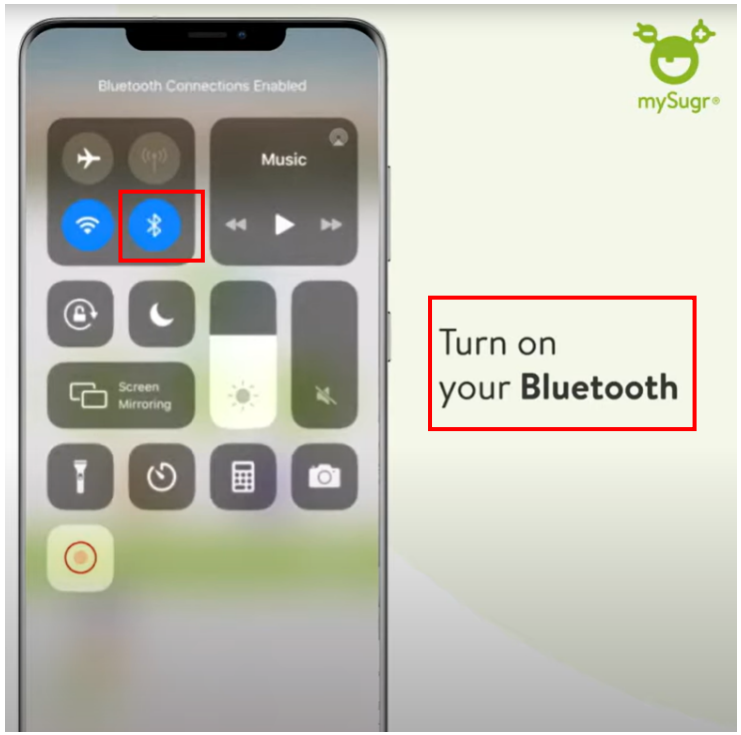
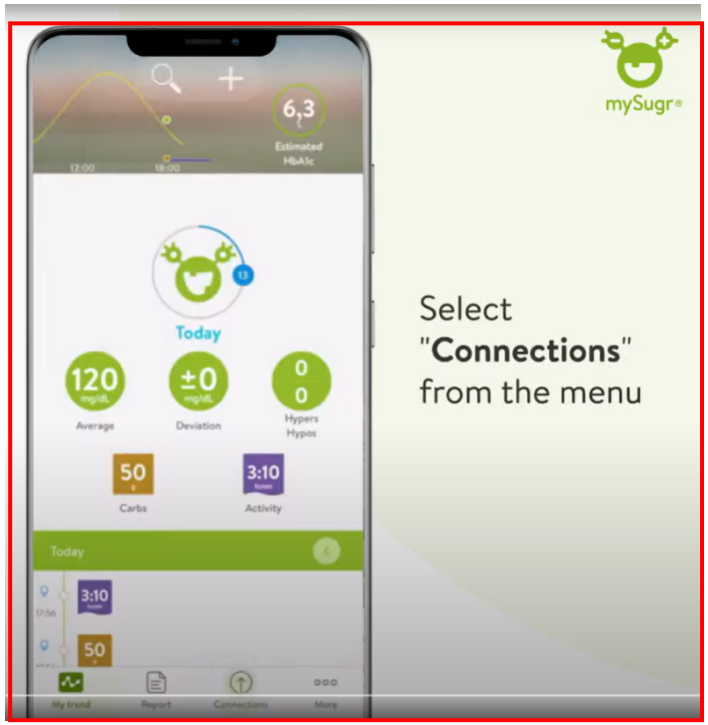
| | **How can I transfer Accu-Chek meter data to mySugr?** ^<br><br>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.<br><br>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:<br><br>1. If you are using an Apple device, make sure Bluetooth® is turned on.<br><br>a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.<br><br>2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)<br>3. Open the mySugr app and go to the “Connections” tab in the bar menu located at the bottom of the screen.<br>4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.<br>5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.<br>6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<br><br>Source: https://www.accu-chek.com/support/products/guide |

Exhibit 4 to the Complaint.

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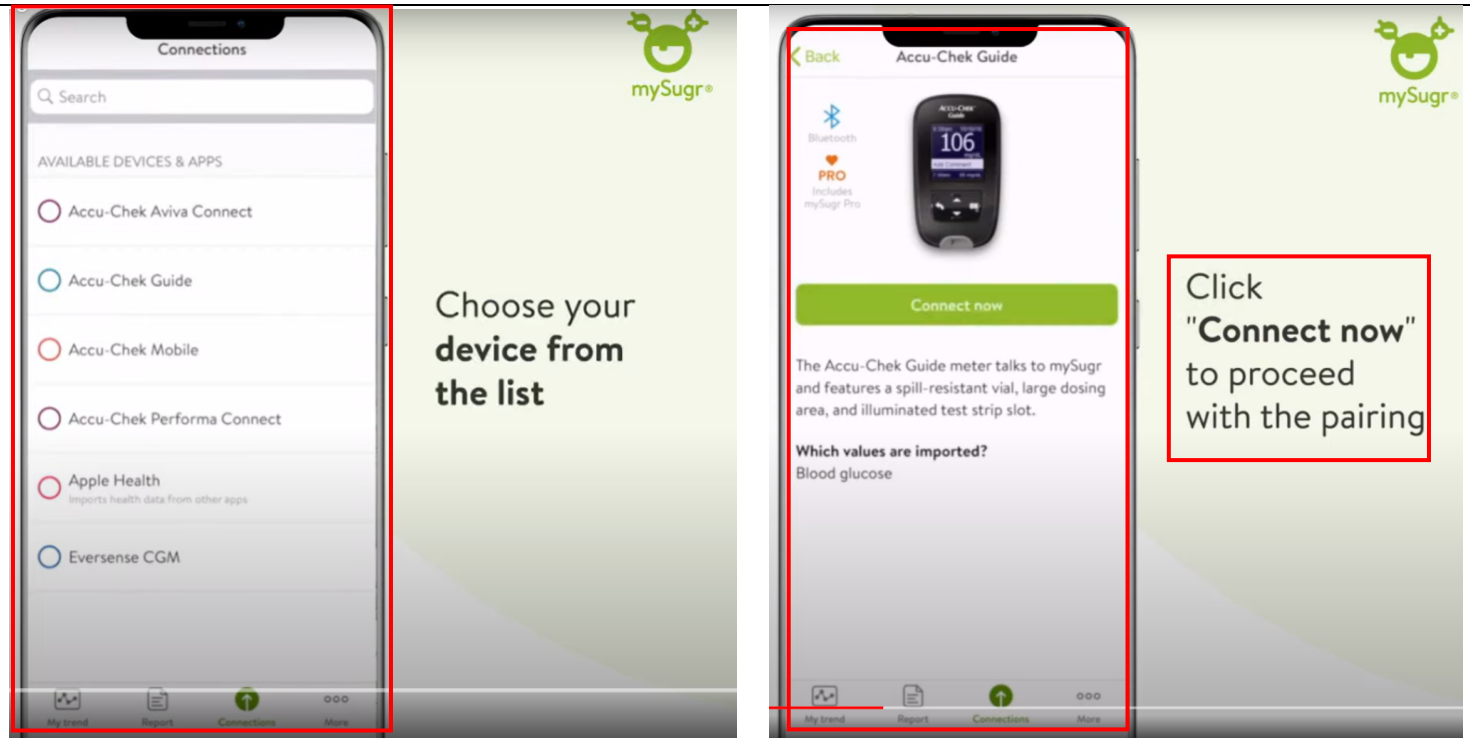


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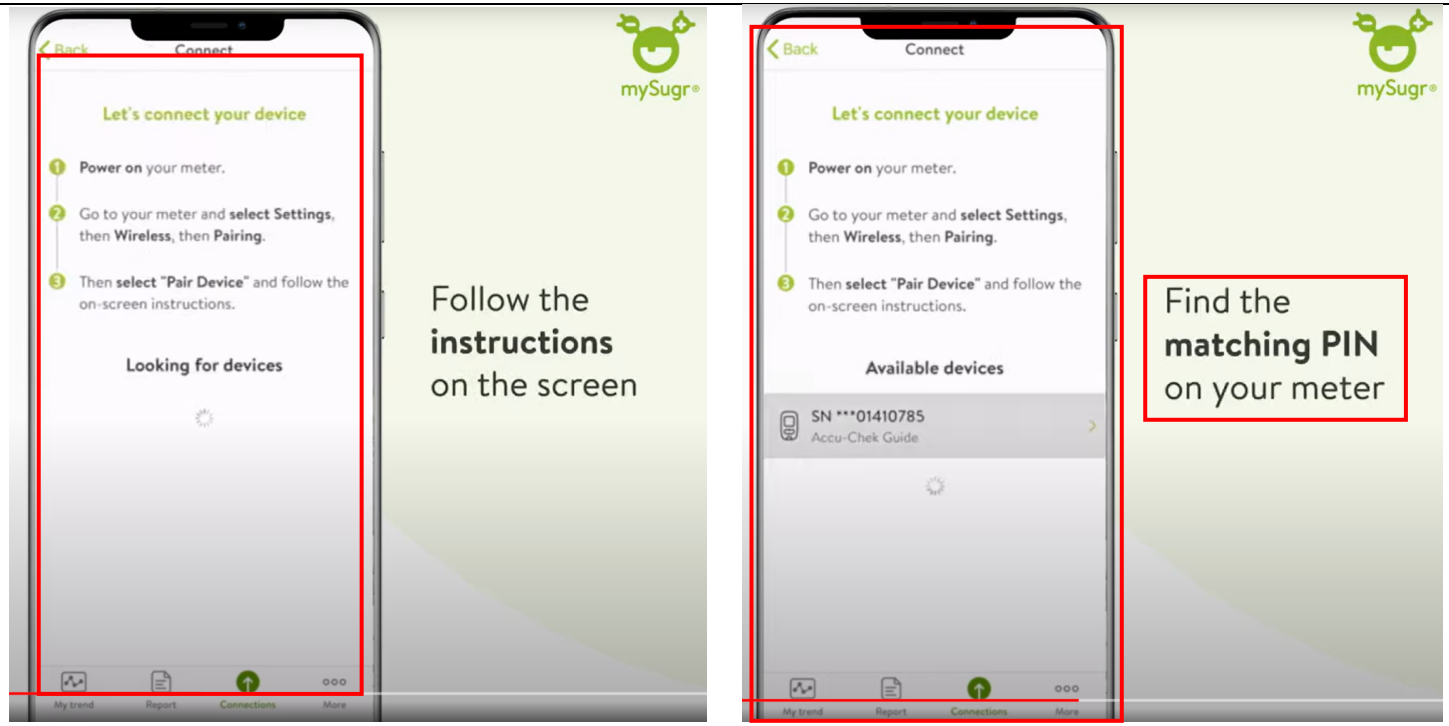


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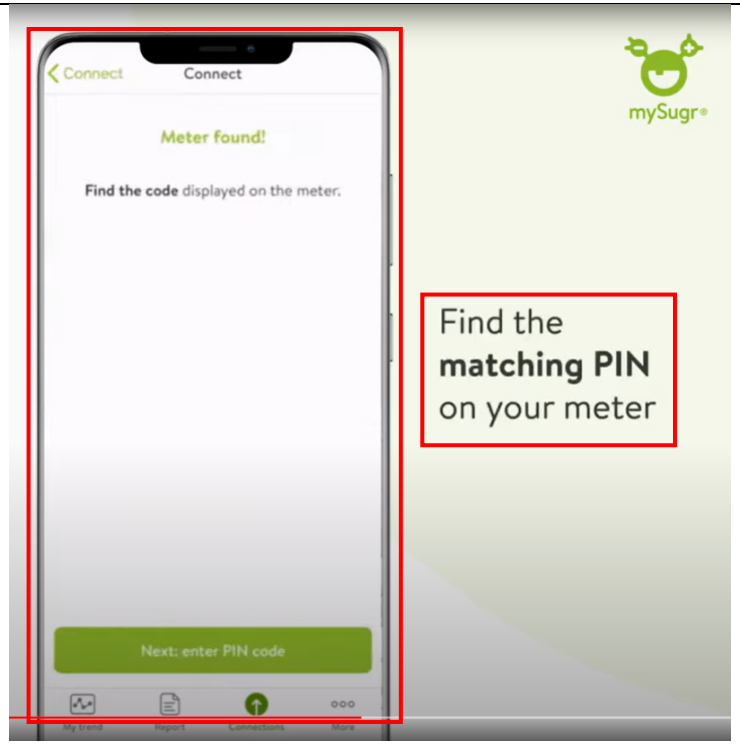


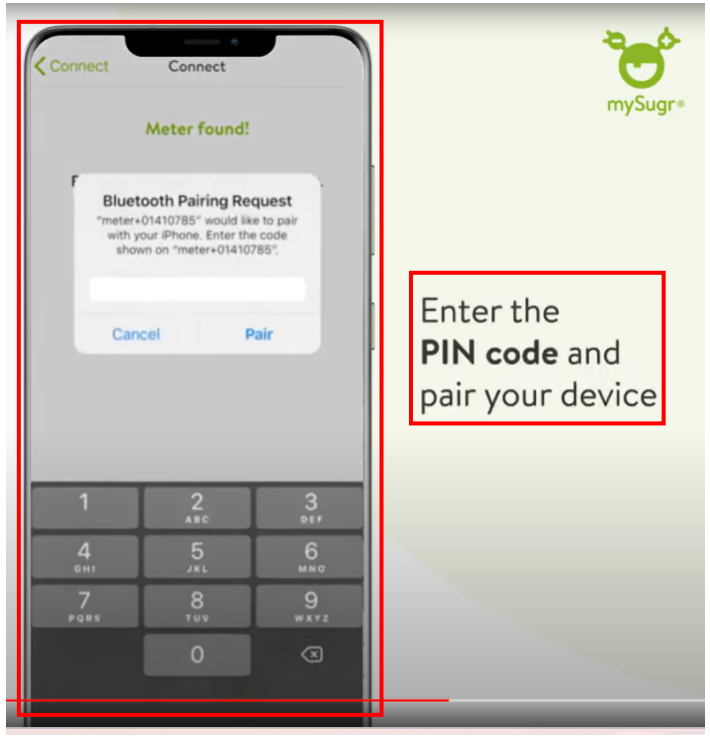


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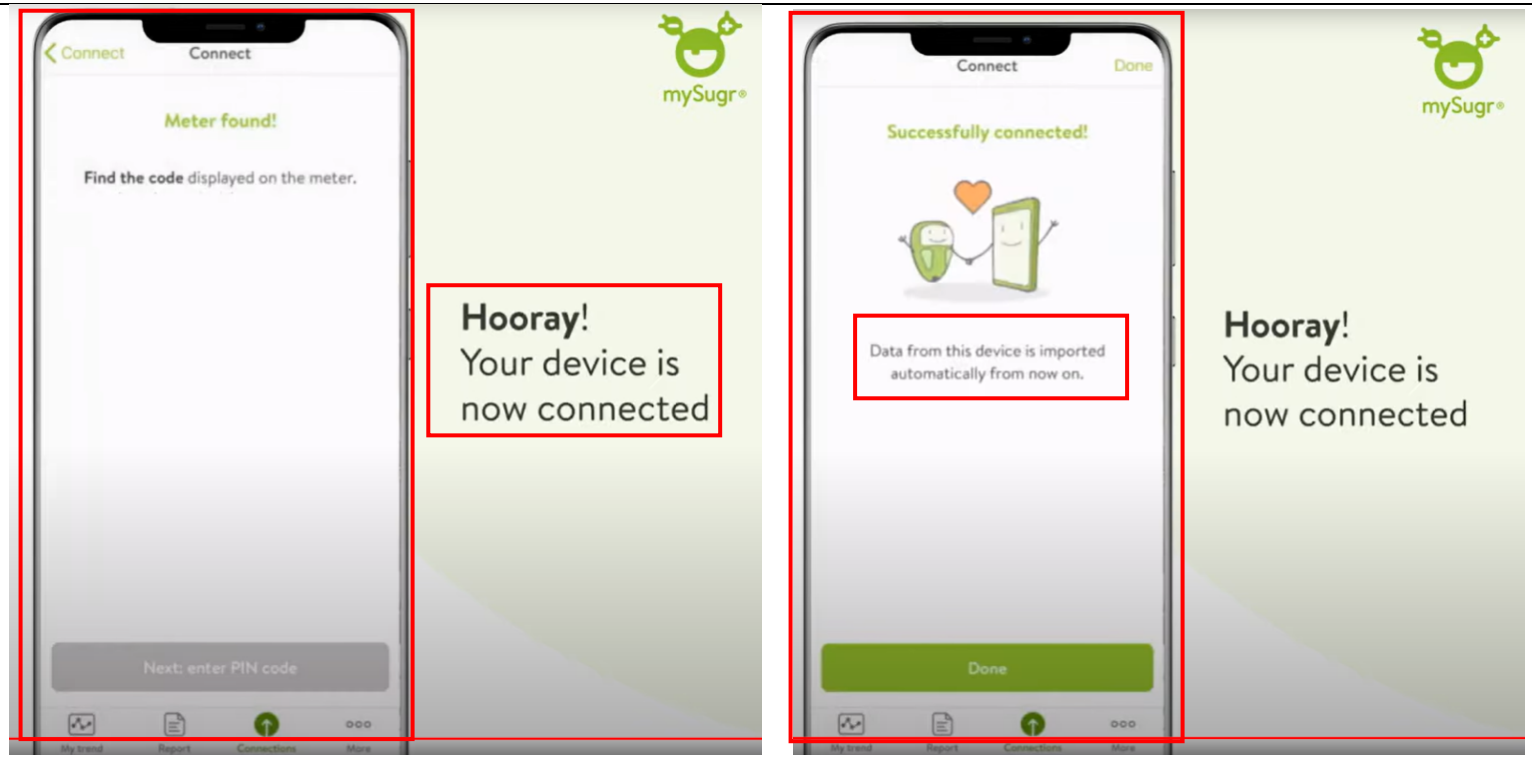



Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:38, 0:40

Exhibit 4 to the Complaint.

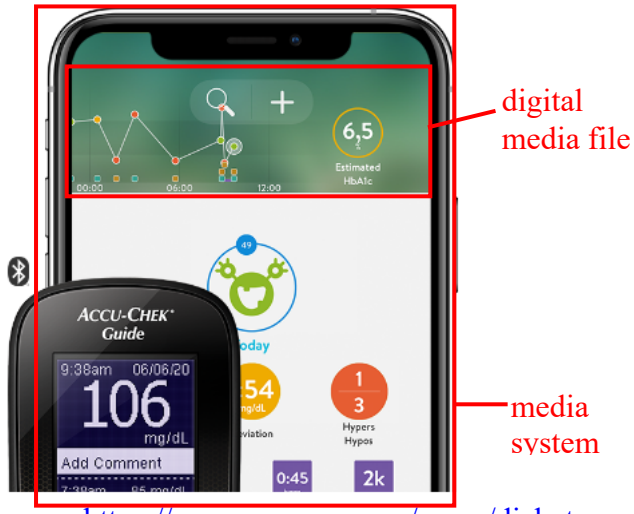
## Connecting your devices & services

At mySugr, we're of the humble opinion that paper is for origami, not for logbooks. That's why when you connect your diabetes device with mySugr, your connected meter will automatically log your blood sugar readings into the app. No need to bother flicking through pages anymore! Everything's available in a few taps in the app.

Connection Brings Freedom!

- Automatic data importing saves tons of time
- Connect your blood glucose meter and avoid manual logging errors
- Connect your Google Fit® or Apple Health® tracker to easily track fitness data
- Enjoy extra time in your days thanks to the Pairing feature

Source: https://www.mysugr.com/en-us/diabetes-app/




Source: https://www.mysugr.com/en-us/diabetes-app/ (annotated)

Exhibit 4 to the Complaint.

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| | Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [37] The device of claim 32, wherein the communication link is at least one of a peer-to-peer connection, bluetooth connection, and a WiFi connection. | Company makes, uses, sells and/or offers to sell the communication link is at least one of a peer-to-peer connection, Bluetooth connection, and a WiFi connection.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the mySugr app installed in the user's smartphone detects the Accu-Chek Guide meter through Bluetooth and establishes a connection ("communication link").<br><br>5 **mySugr Connectivity**<br>Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More<br><br>Source: https://www.accu-chek.com/products/meters/guide |

Exhibit 4 to the Complaint.

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| | **How can I transfer Accu-Chek meter data to mySugr?** ^<br><br>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.<br><br>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:<br><br>1. If you are using an Apple device, make sure Bluetooth® is turned on.<br><br>a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.<br><br>2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)<br>3. Open the mySugr app and go to the “Connections” tab in the bar menu located at the bottom of the screen.<br>4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.<br>5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.<br>6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<br><br>Source: https://www.accu-chek.com/support/products/guide |

Exhibit 4 to the Complaint.

Source: https://www.accu-chek.com/document/accu-chek-guide-quick-start-guide-2/download, Page 1 of 2 (annotated)

Exhibit 4 to the Complaint.

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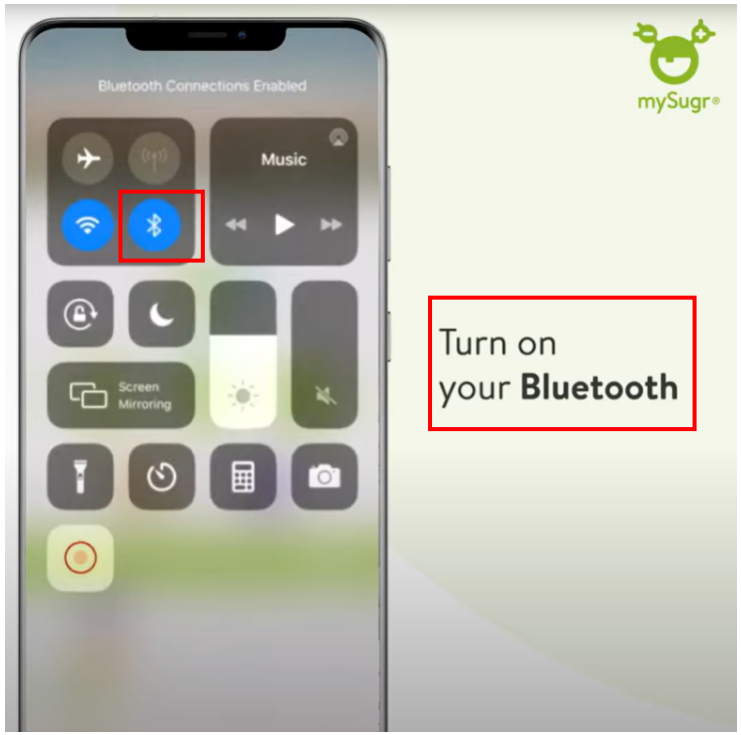
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:07<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [39] The device of claim 32, wherein the device is configured to present the at least one | Company makes, uses, sells and/or offers to sell the device is configured to present the at least one digital-media file on a display.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the Accu-Chek Guide meter displays ("present") the measured blood sugar levels ("digital-media file"). |

Exhibit 4 to the Complaint.

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| digital-media file on a display. | <br>Source: https://www.mysugr.com/en-us/diabetes-app/ (annotated)<br><br>**Product Specifications**<br><br>Refer to the package insert that came with your meter for the latest information on device specifications and product restrictions.<br><br>Display<br><br>LCD with backlight<br><br>Source: https://www.accu-chek.com/products/meters/guide |

Exhibit 4 to the Complaint.

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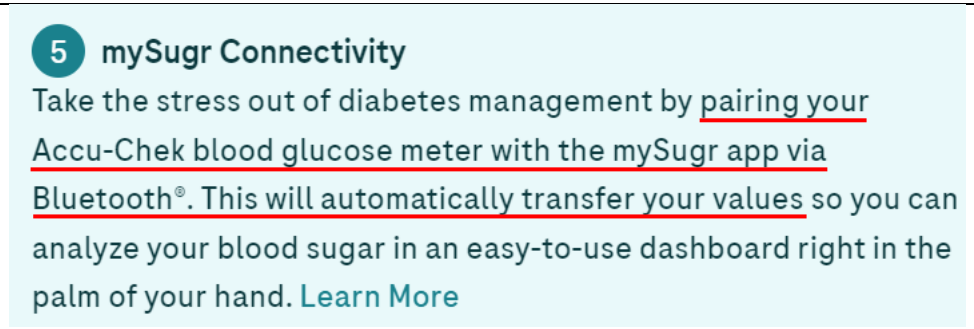
| | **The Accu-Chek Guide System**<br>The Accu-Chek Guide blood glucose monitoring system is comprised of the Accu-Chek Guide meter and the Accu-Chek Guide test strips.<br>The Accu-Chek Guide blood glucose monitoring system is intended to quantitatively measure glucose in fresh capillary whole blood from the fingertip, palm, and upper arm as an aid in monitoring the effectiveness of glucose control.<br>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 2 of 70<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [40] The device of claim 32, wherein the at least one digital media file is provided by the wireless mobile device. | Company makes, uses, sells and/or offers to sell at least one digital media file is provided by the wireless mobile device.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the Accu-Chek Guide ("wireless mobile device") transmits the measured blood sugar levels ("at least one digital media file") to the mySugr app installed on the user's smartphone. |

Exhibit 4 to the Complaint.




Source: https://www.accu-chek.com/products/meters/guide

**Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that

1. utilizes Bluetooth low energy technology,
2. it is paired with, and
3. has an application that can accept the meter data.

Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70

Exhibit 4 to the Complaint.

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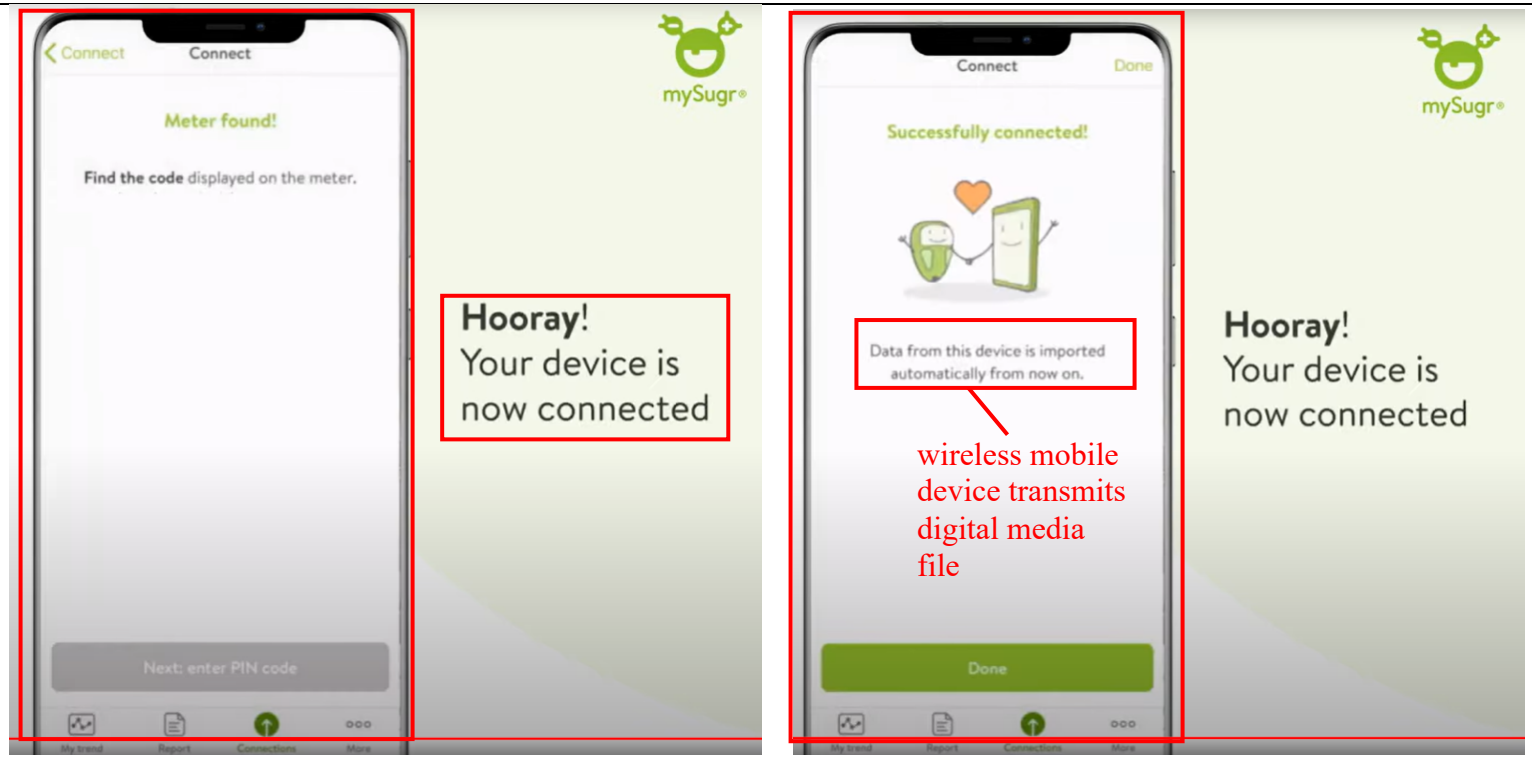
| | **How can I transfer Accu-Chek meter data to mySugr?** ^<br><br>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.<br><br>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:<br><br>1. If you are using an Apple device, make sure Bluetooth® is turned on.<br><br>a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.<br><br>2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)<br>3. Open the mySugr app and go to the “Connections” tab in the bar menu located at the bottom of the screen.<br>4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.<br>5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.<br>6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<br><br>Source: https://www.accu-chek.com/support/products/guide |

Exhibit 4 to the Complaint.




Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:38, 0:40 (annotated)

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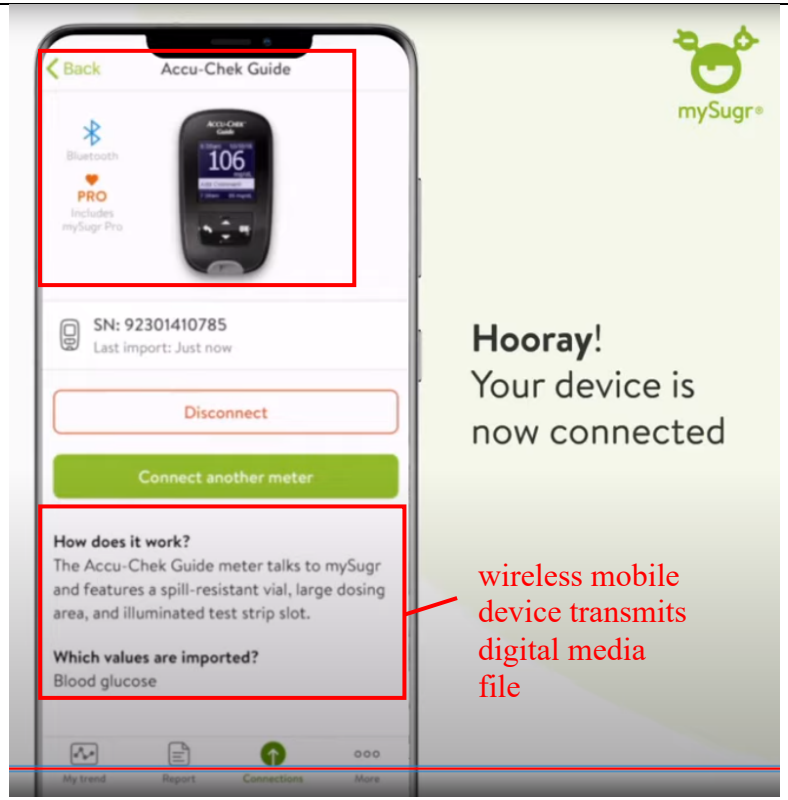
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43 (annotated)<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [42.P] A transfer system from transferring a media file over a | Roche Diagnostics Corporation ("Company") makes, uses, sells, and/or offers to sell a transfer system from transferring a media file over a communication network, comprising a media system; and a wireless mobile device.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents. |

Exhibit 4 to the Complaint.

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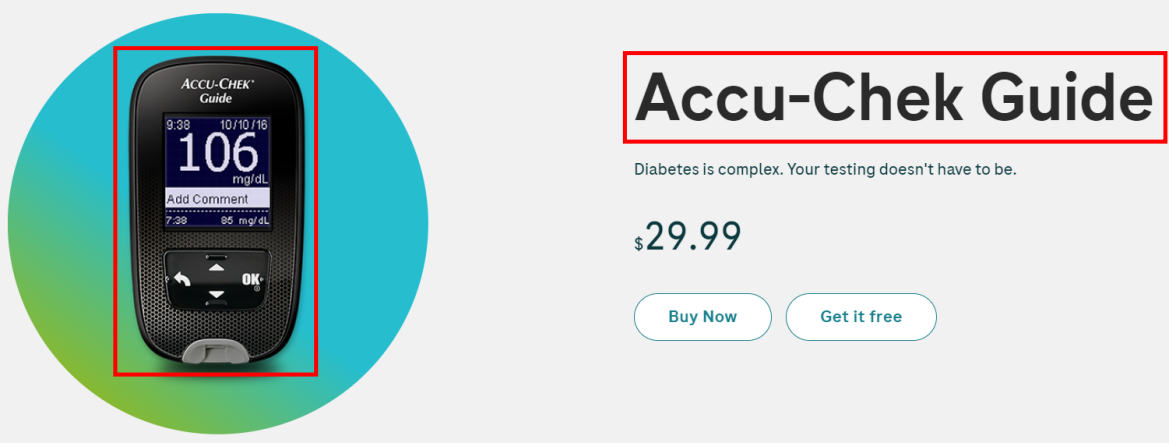
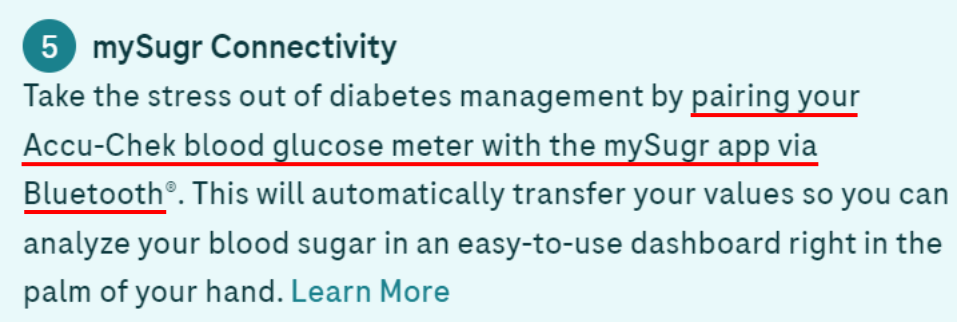
| communication network, comprising a media system; and a wireless mobile device, wherein the media system includes: | For example, Company provides mySugr app ("media system") to receive measured blood sugar levels from a Accu-Chek Guide meter ("wireless mobile device"). The mySugr app, installed on the user's smartphone, receive the measured blood sugar levels from the Accu-Chek Guide, using a Bluetooth network ("communication network").<br>  <br>Source: https://www.accu-chek.com/products/meters/guide<br>  <br>Source: https://www.accu-chek.com/products/meters/guide |

Exhibit 4 to the Complaint.

**1 Personalized logging screen**

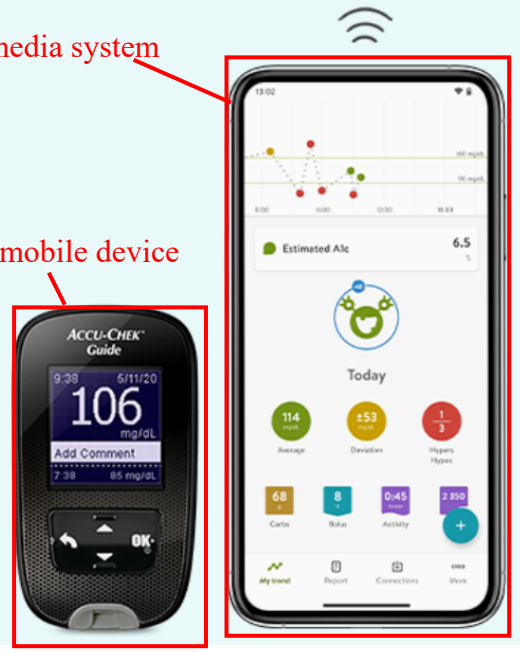
Organize the app the way it suits you better. Remove or add fields depending on your therapy needs.

**2 mySugr Analytics**

The analytics dashboard in the mySugr app provides you with an overview of your recorded blood sugars to help you identify patterns, allowing you to identify areas where your management could be optimized.

**3 Data Reports & Sharing**

mySugr Reports compile your data for easy printing or digital sharing. You can access and download your data anytime, anywhere and feel free to share your reports with your family, caregivers, and healthcare team for accountability and support.




Source: https://www.accu-chek.com/products/mysugr (annotated)

**Easy Connection With Blood Sugar Meters**

Automatically transfer your values to the mySugr app via Bluetooth and analyze them with one click to identify your patterns more quickly.

Source: https://www.mysugr.com/en-us/

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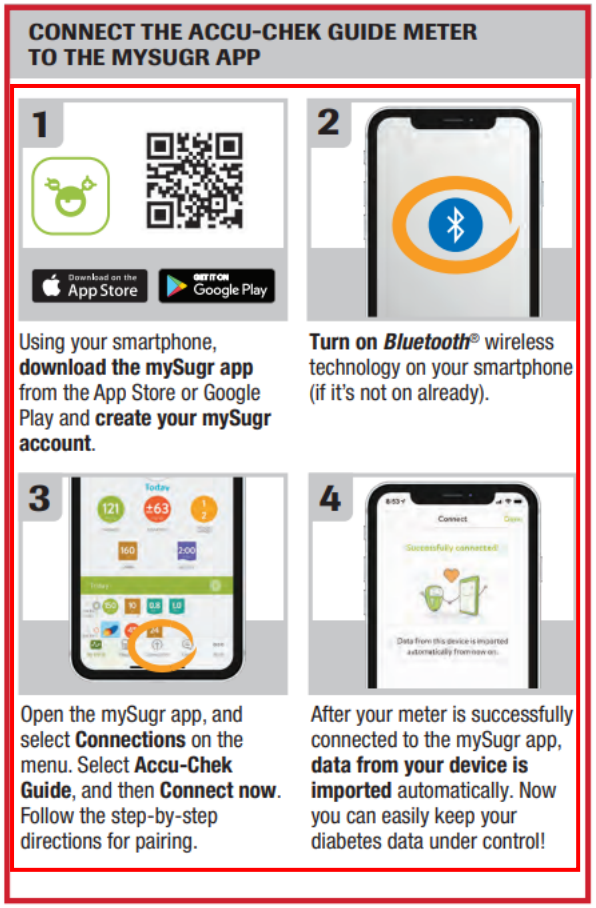


Source: https://www.accu-chek.com/document/accu-chek-guide-quick-start-guide-2/download, Page 1 of 2

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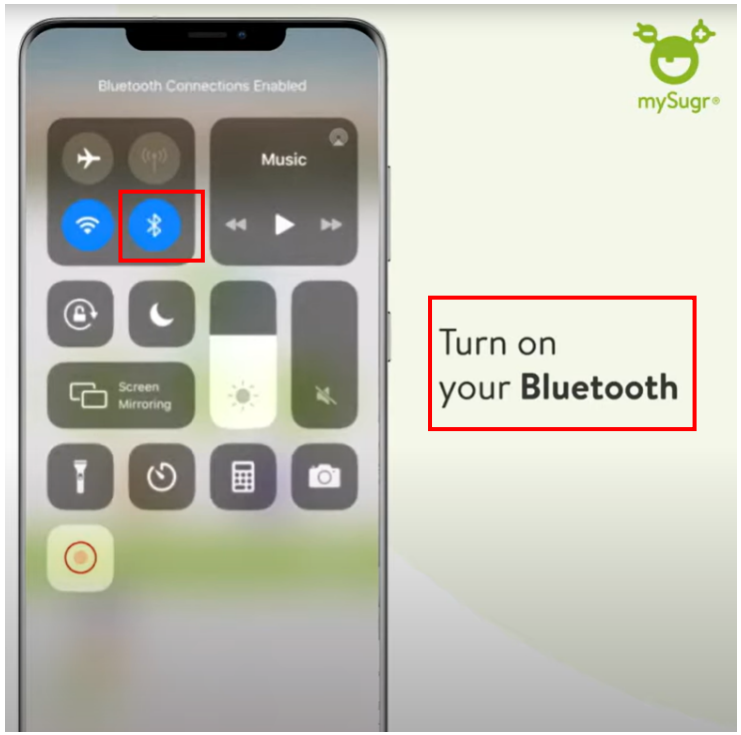
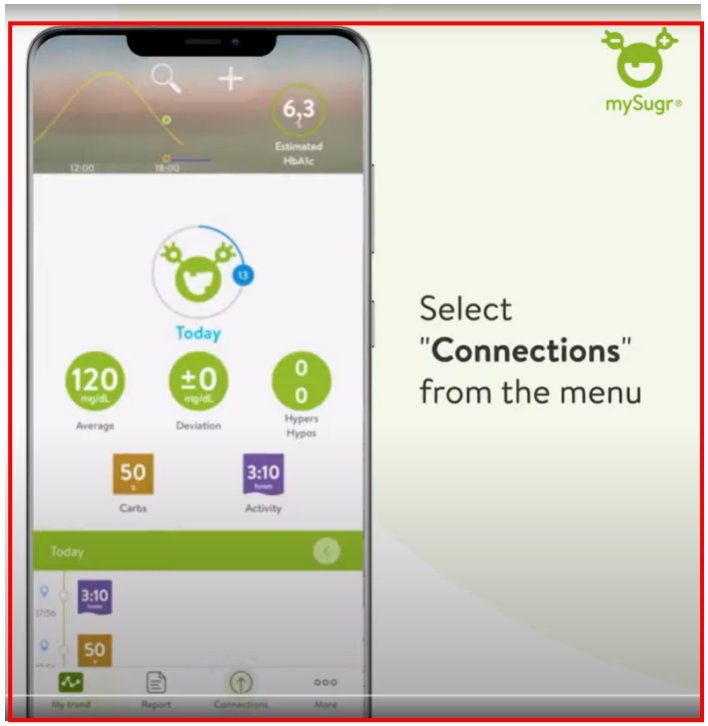
| |   Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:07, 0:09 |

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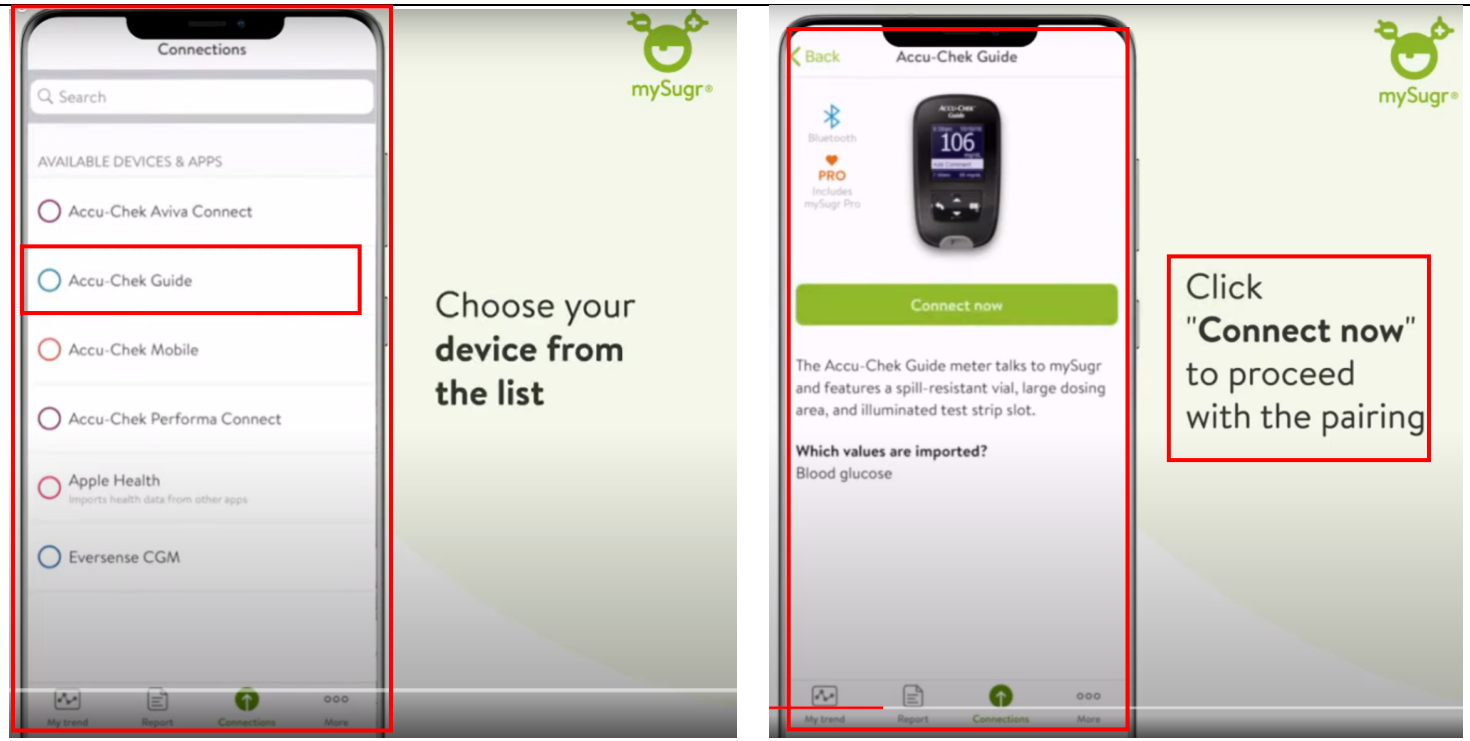


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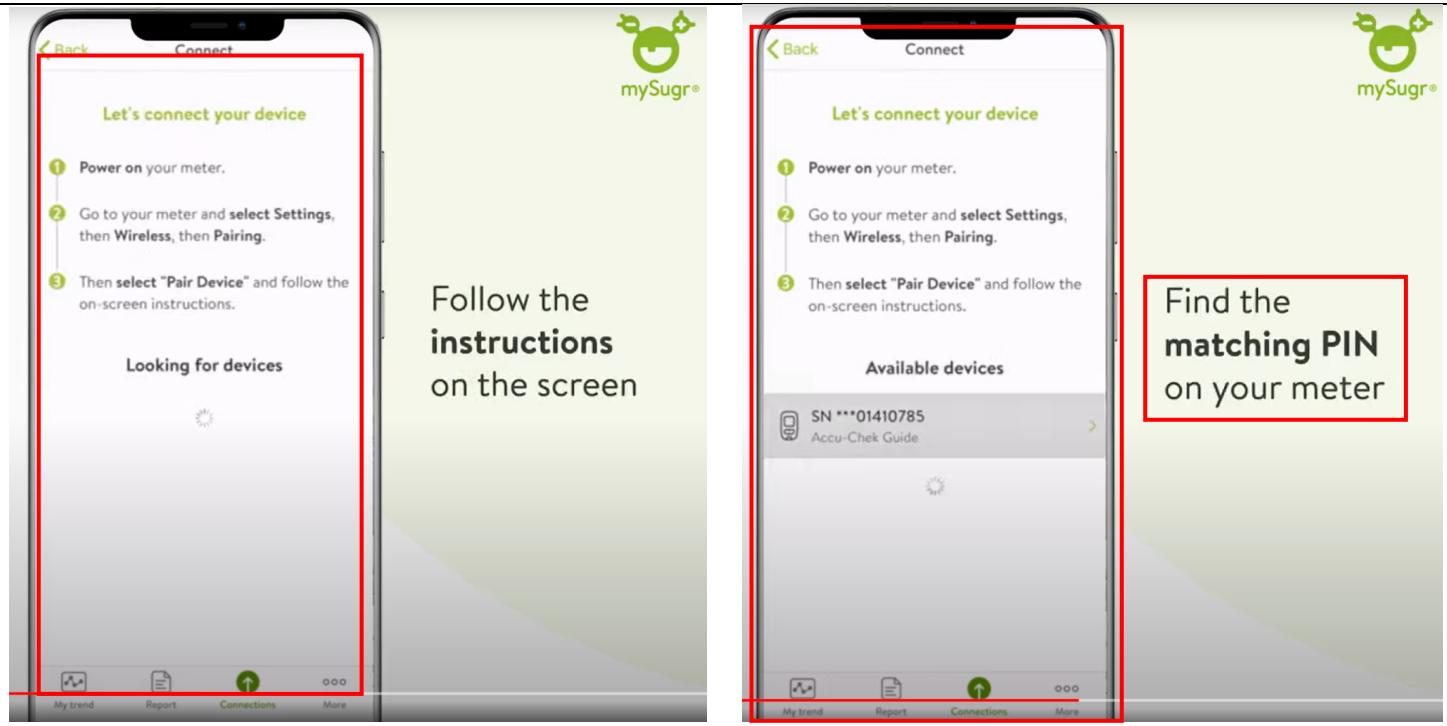


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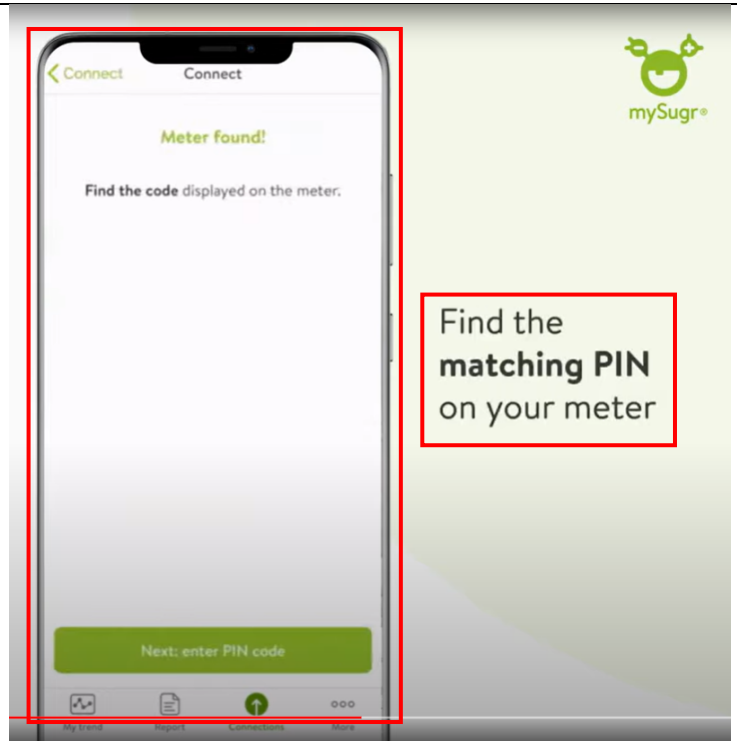


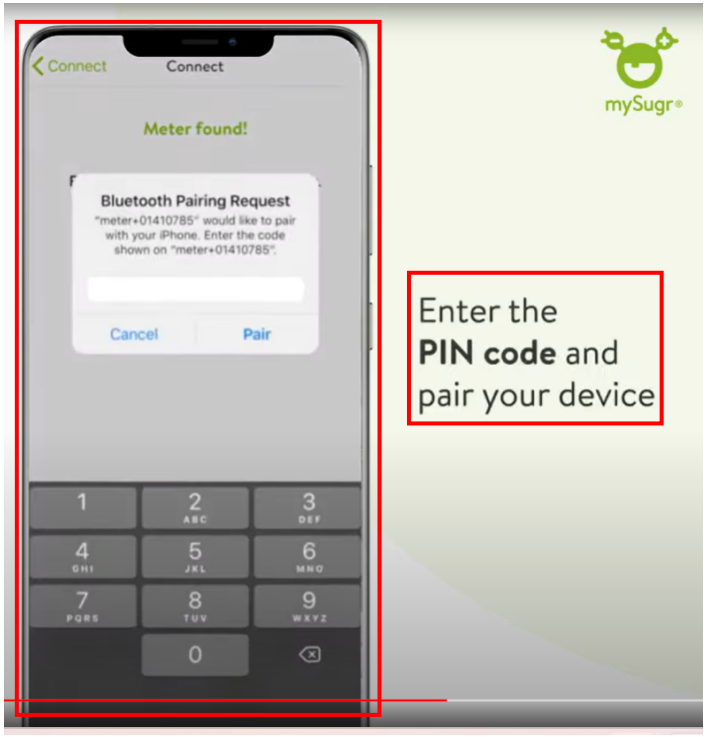


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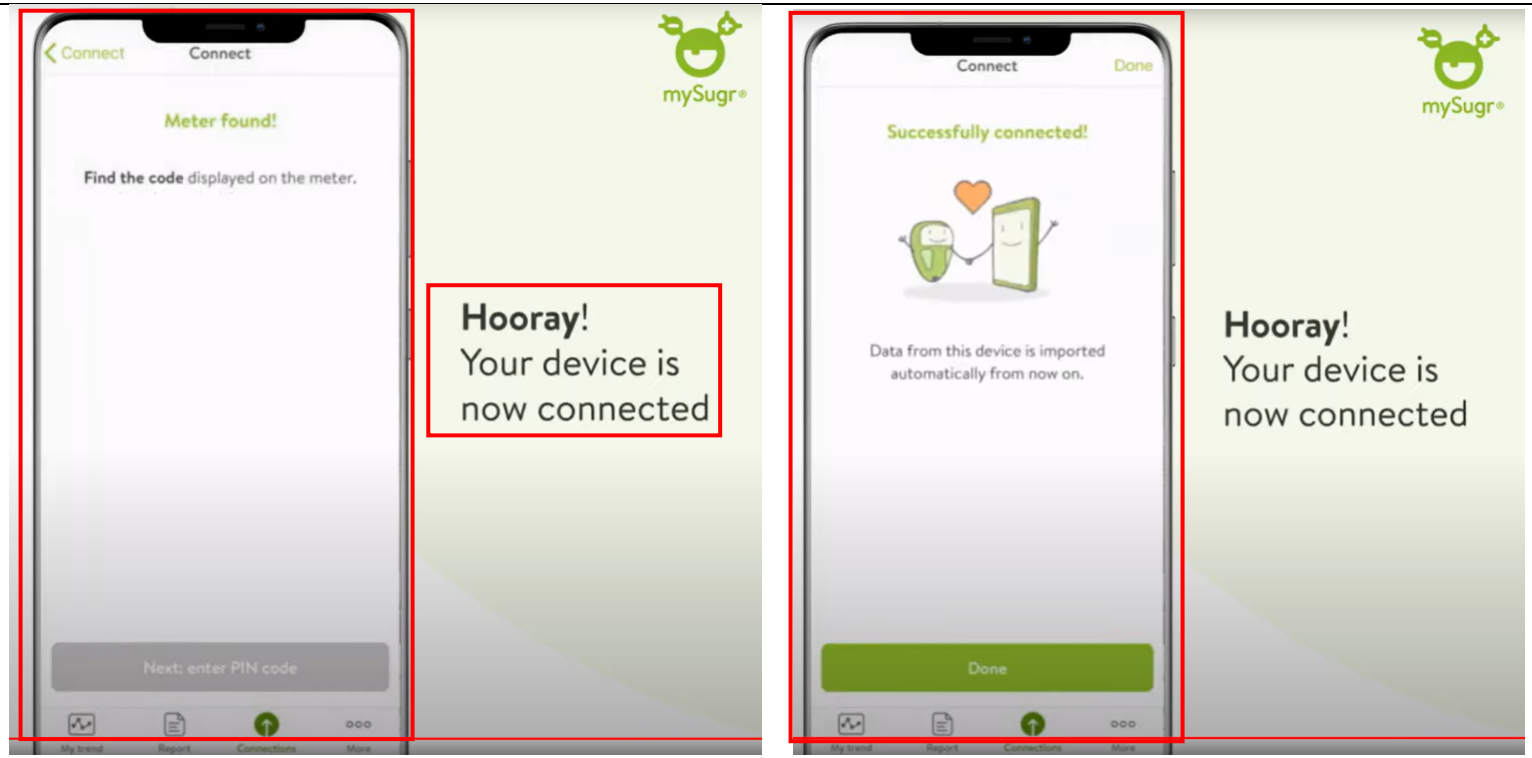


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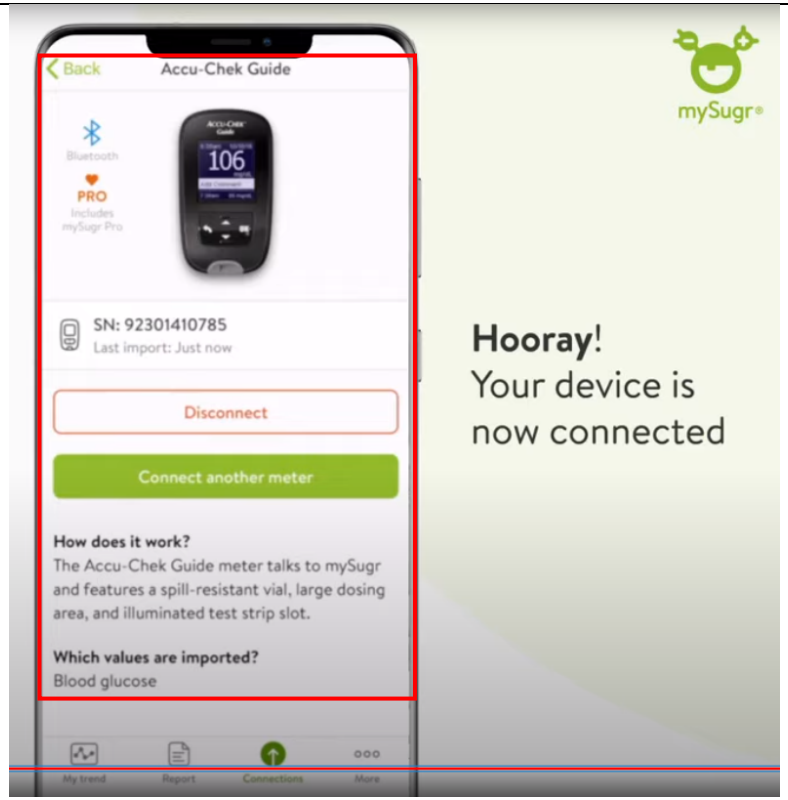
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [42.1] a wireless receiver, | Company makes, uses, sells and/or offers to sell a wireless receiver.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the mySugr app, installed on the user's smartphone, includes a Bluetooth receiver ("wireless receiver") for receiving data from the Accu-Chek Guide. |

Exhibit 4 to the Complaint.

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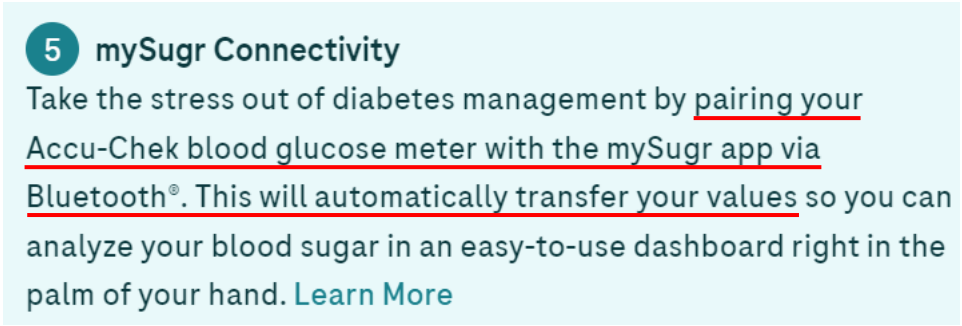
| |  <br>Source: https://www.accu-chek.com/products/meters/guide |

Exhibit 4 to the Complaint.

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| | **How can I transfer Accu-Chek meter data to mySugr?** ^<br><br>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.<br><br>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:<br><br>1. If you are using an Apple device, make sure Bluetooth® is turned on.<br><br>a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.<br><br>2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)<br>3. Open the mySugr app and go to the “Connections” tab in the bar menu located at the bottom of the screen.<br>4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.<br>5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.<br>6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<br><br>Source: https://www.accu-chek.com/support/products/guide |

Exhibit 4 to the Complaint.

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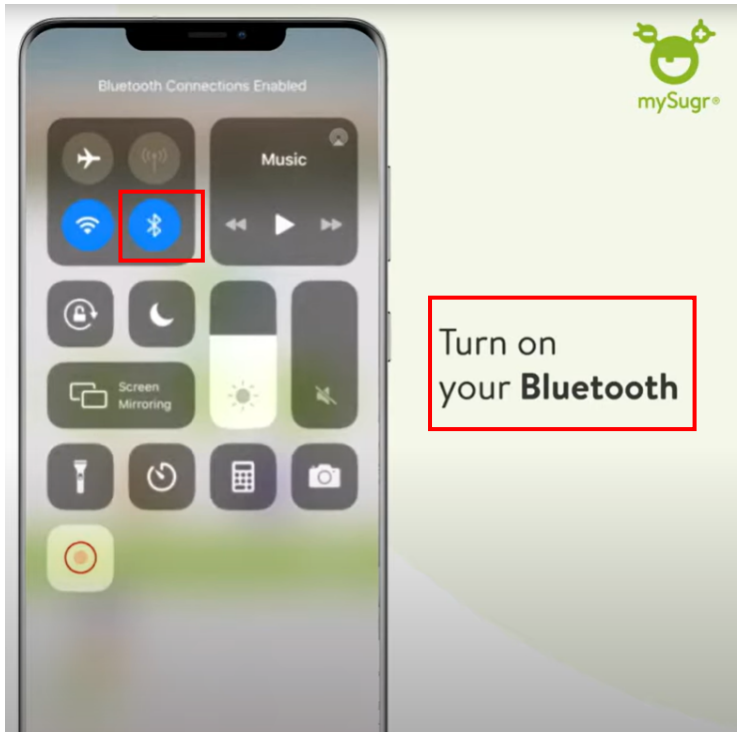
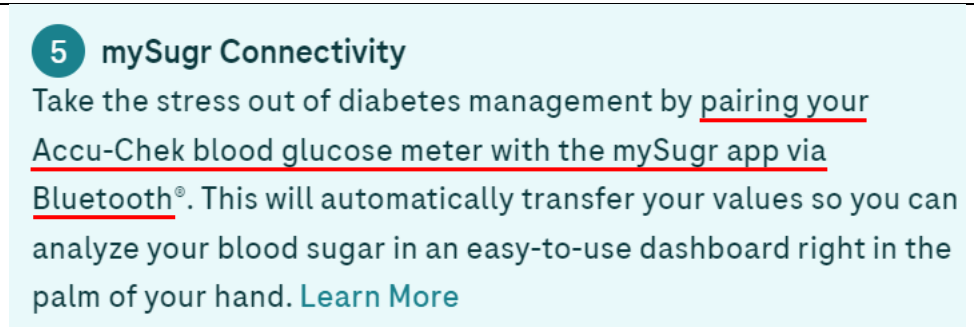
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:07<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [42.2] a security measure, and | Company makes, uses, sells and/or offers to sell a security measure.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the mySugr app, installed on the user's smartphone, initially require users to input a PIN ("security measure") which is necessary during the initial pairing process with the Accu-Chek Guide. |

Exhibit 4 to the Complaint.




Source: https://www.accu-chek.com/products/meters/guide

**Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that

1. utilizes Bluetooth low energy technology,
2. it is paired with, and
3. has an application that can accept the meter data.

Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70

Exhibit 4 to the Complaint.

**How can I transfer Accu-Chek meter data to mySugr?**

Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.

Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:

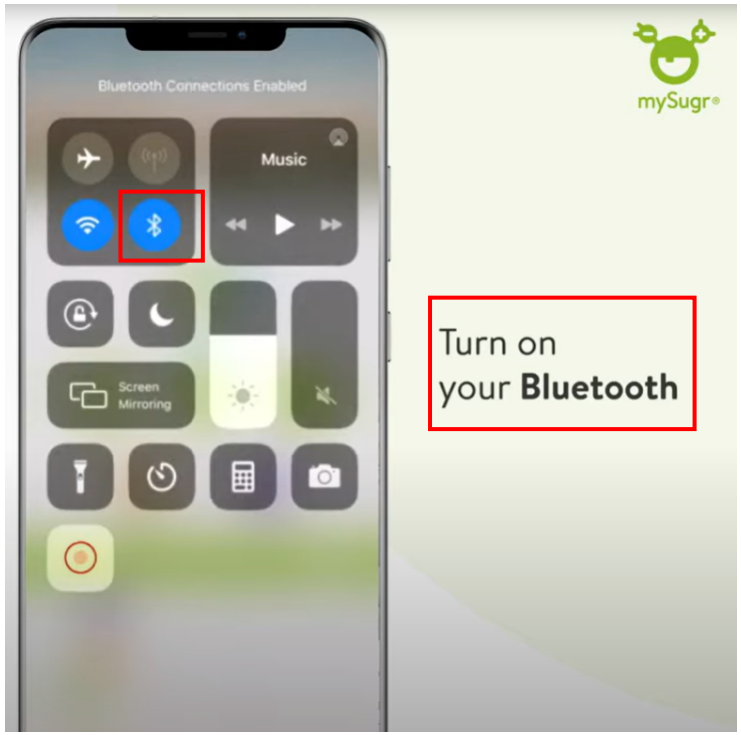
1. If you are using an Apple device, make sure Bluetooth® is turned on.

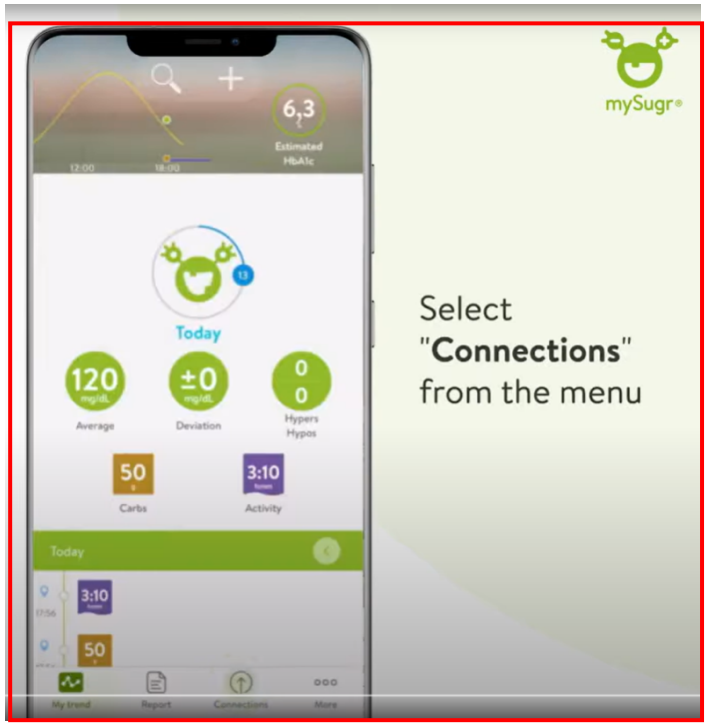
a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.

2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)
3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.
4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.
5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.
6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen

Source: https://www.accu-chek.com/support/products/guide

Exhibit 4 to the Complaint.




Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:07, 0:09

Exhibit 4 to the Complaint.

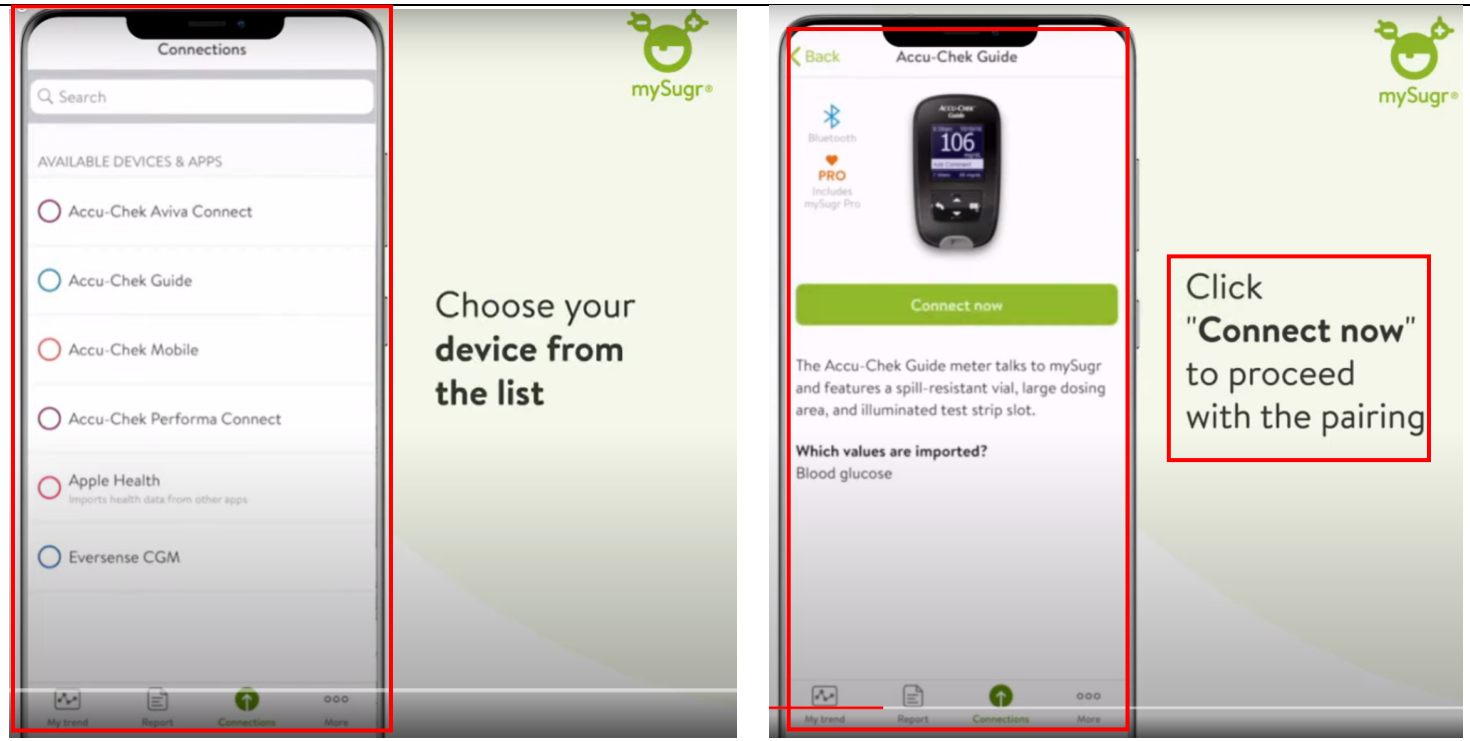



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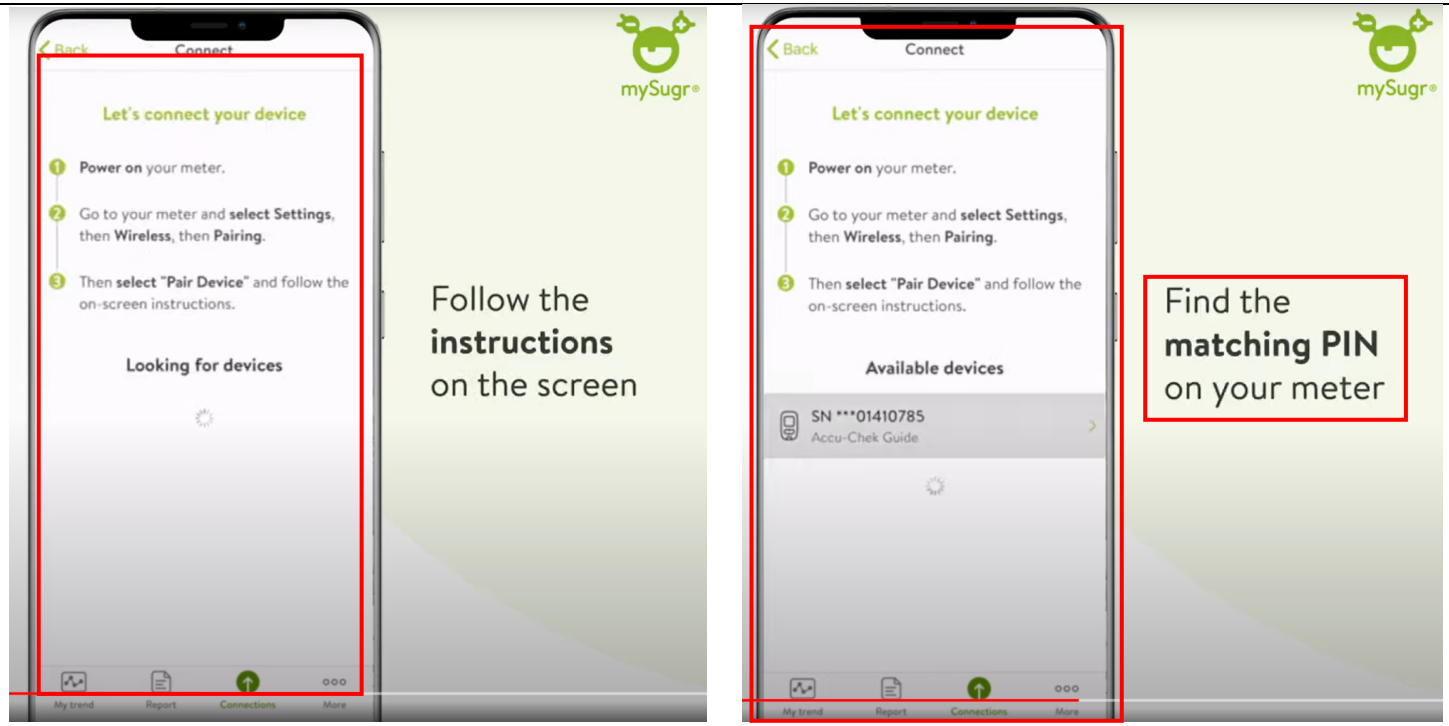
Exhibit 4 to the Complaint.




Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:19, 0:25

Exhibit 4 to the Complaint.

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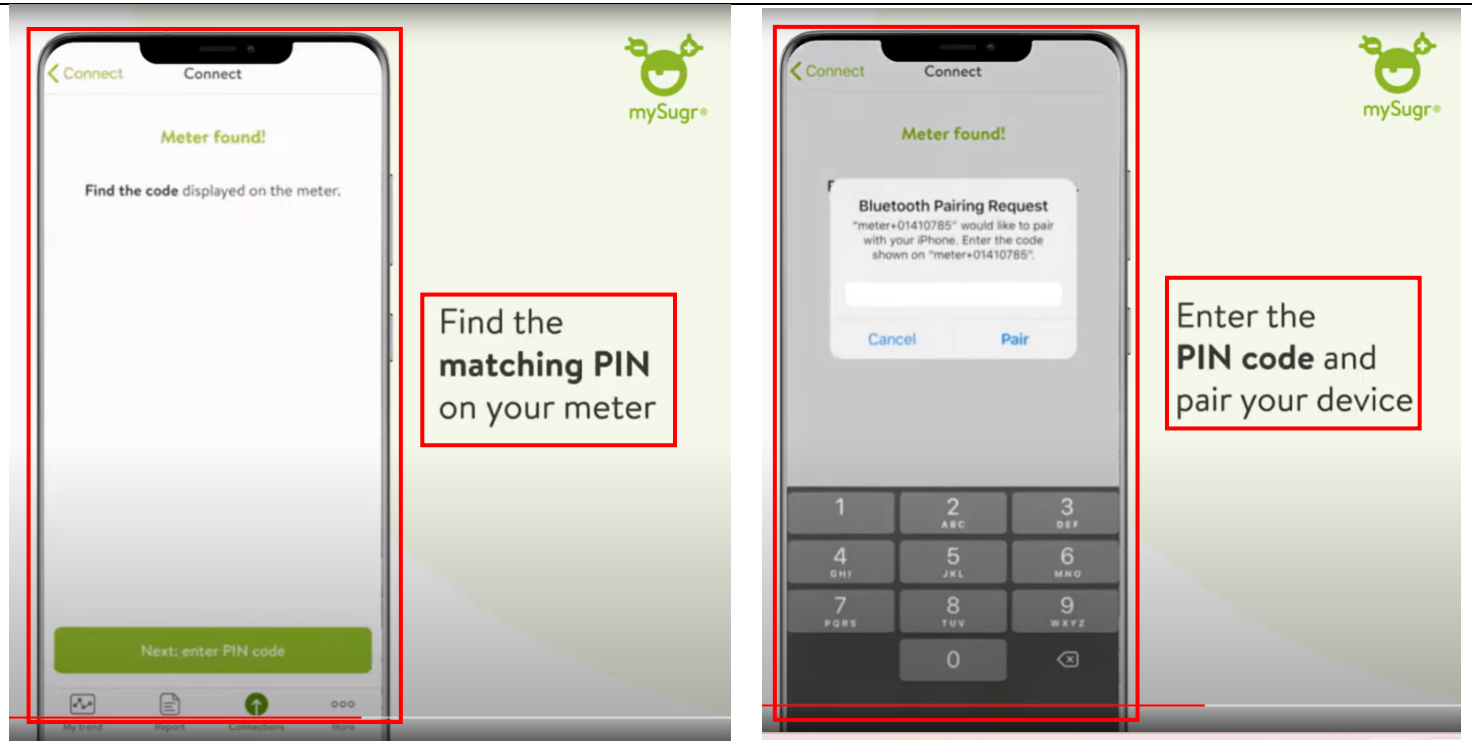
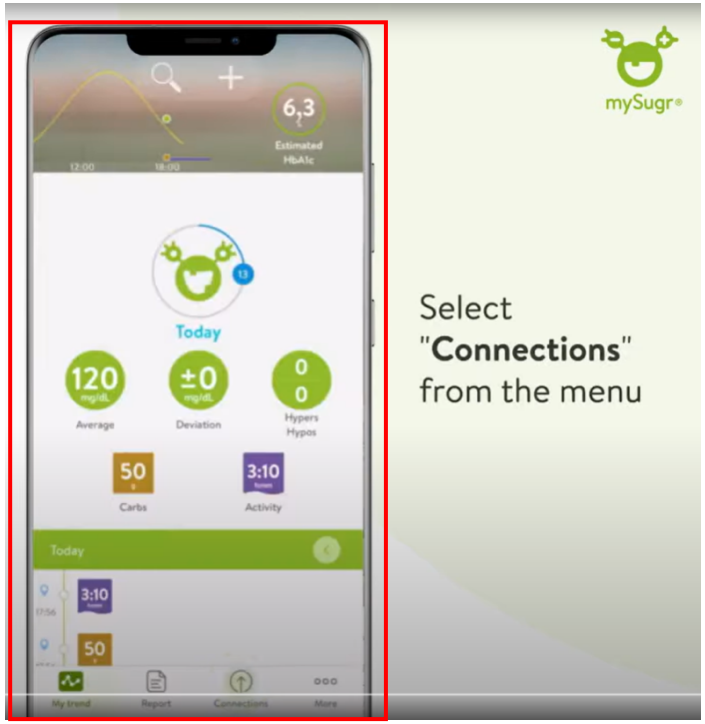
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:26, 0:29<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [42.3] a processor configured to | Company makes, uses, sells and/or offers a processor configured.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the mySugr app, installed on the user's smartphone, includes a processor for receiving data from the Accu-Chek Guide. |

Exhibit 4 to the Complaint.

**5 mySugr Connectivity**

Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More

Source: https://www.accu-chek.com/products/meters/guide




Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:07, 0:09

Exhibit 4 to the Complaint.

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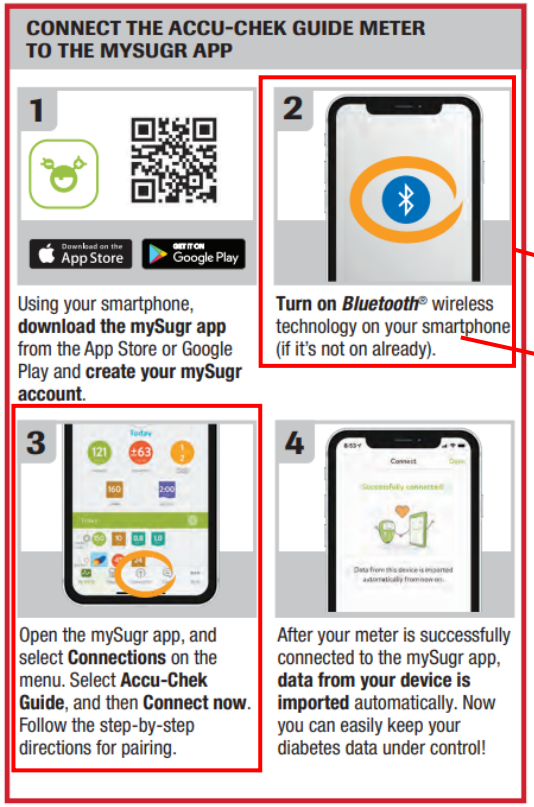
| | Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [42.4] the media system disposed in an accessible relation to at least one interactive computer network that has a wireless range structured to permit authorized access to said at least one interactive computer network, | Company makes, uses, sells and/or offers to sell the the media system disposed in an accessible relation to at least one interactive computer network that has a wireless range structured to permit authorized access to said at least one interactive computer network.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the mySugr app, installed on the user's smartphone ("media system") receives the blood sugar levels to, from the Accu-Chek Guide using Bluetooth network ("interactive computer network"). The Accu-Chek Guide and the smartphone, on which the mySugr app is installed, are paired with each other using the Bluetooth network. Since, the smartphone communicates and receives data from the Accu-Chek Guide using Bluetooth, it is apparent for a person having ordinary skills in the art that, the media system disposed in an accessible relation to at least one interactive computer network that has a wireless range structured to permit authorized access to at least one interactive computer network |

Exhibit 4 to the Complaint.




Source: https://www.accu-chek.com/document/accu-chek-guide-quick-start-guide-2/download, Page 1 of 2 (annotated)

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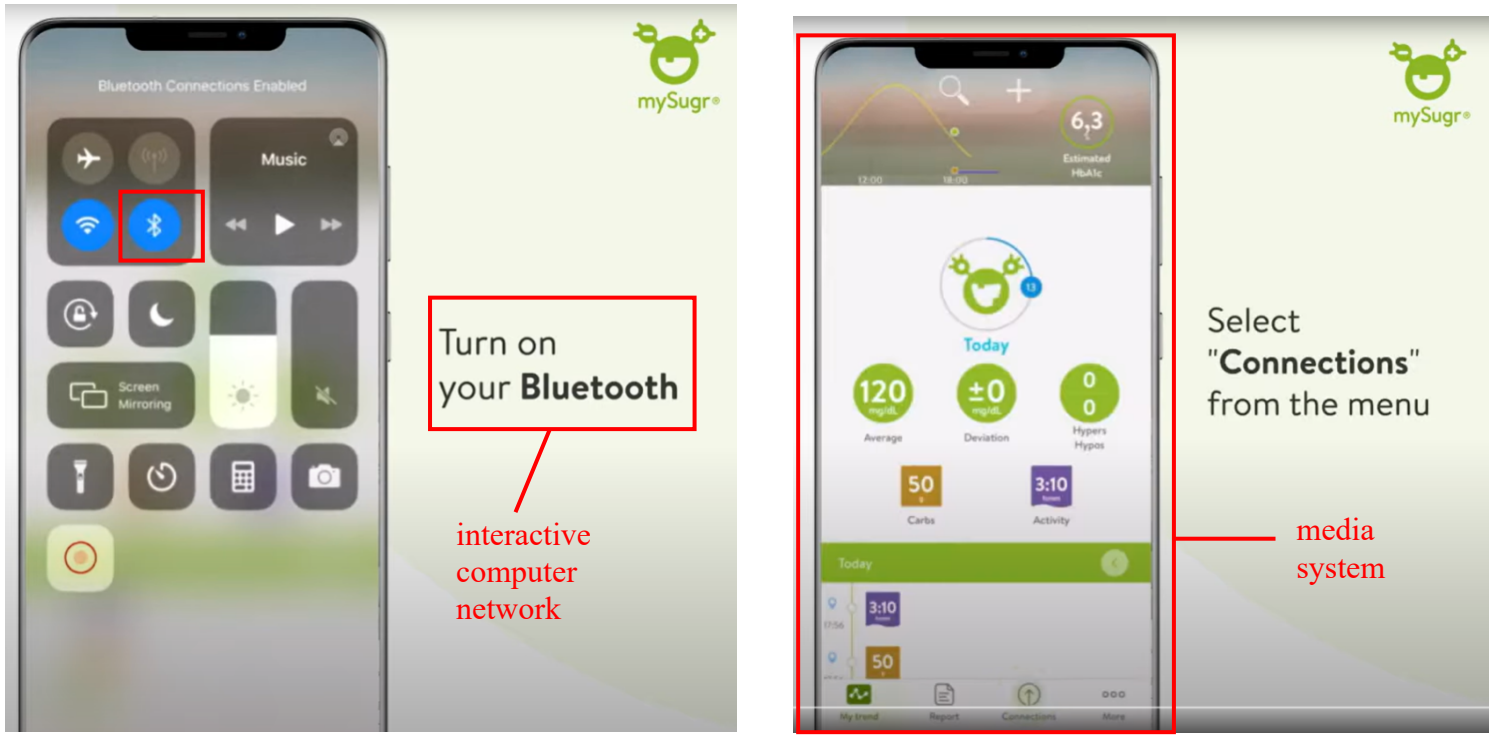


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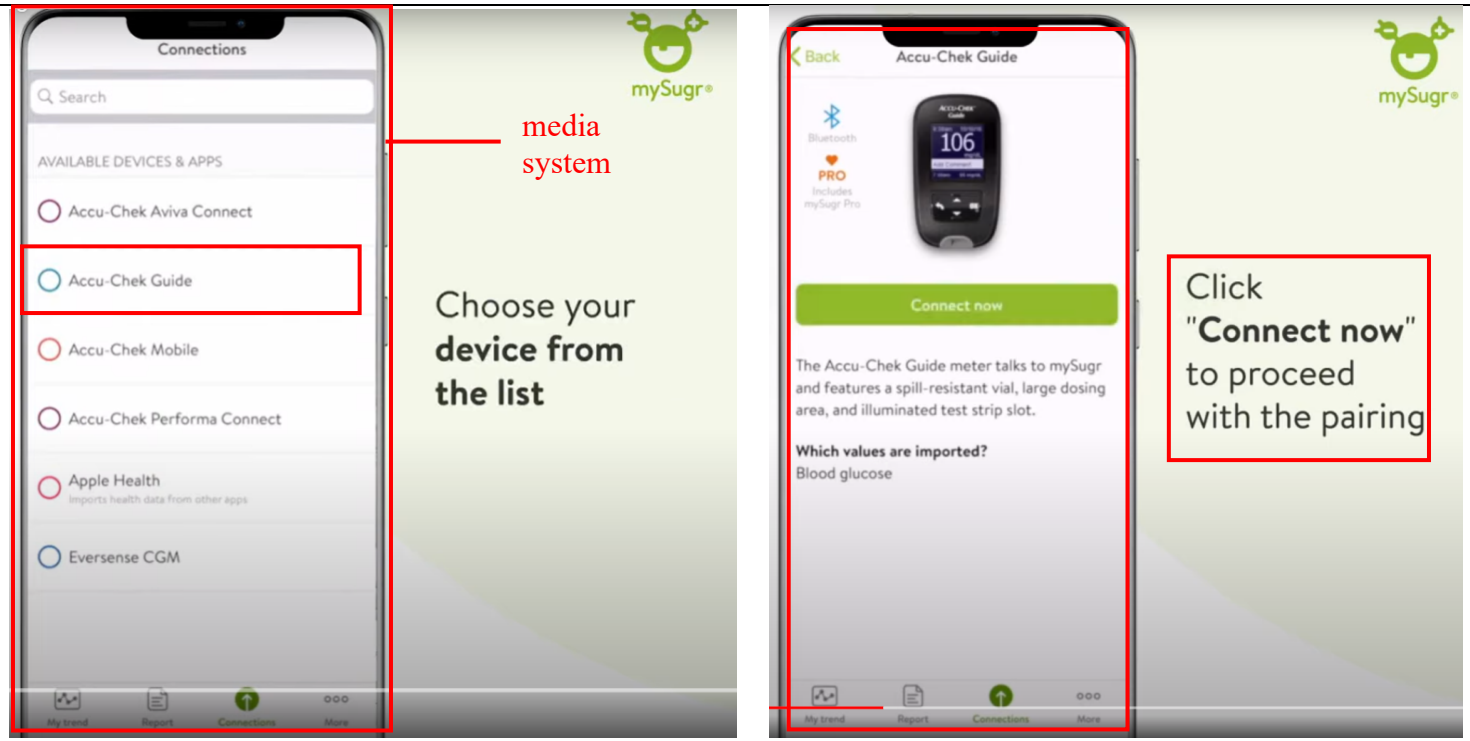


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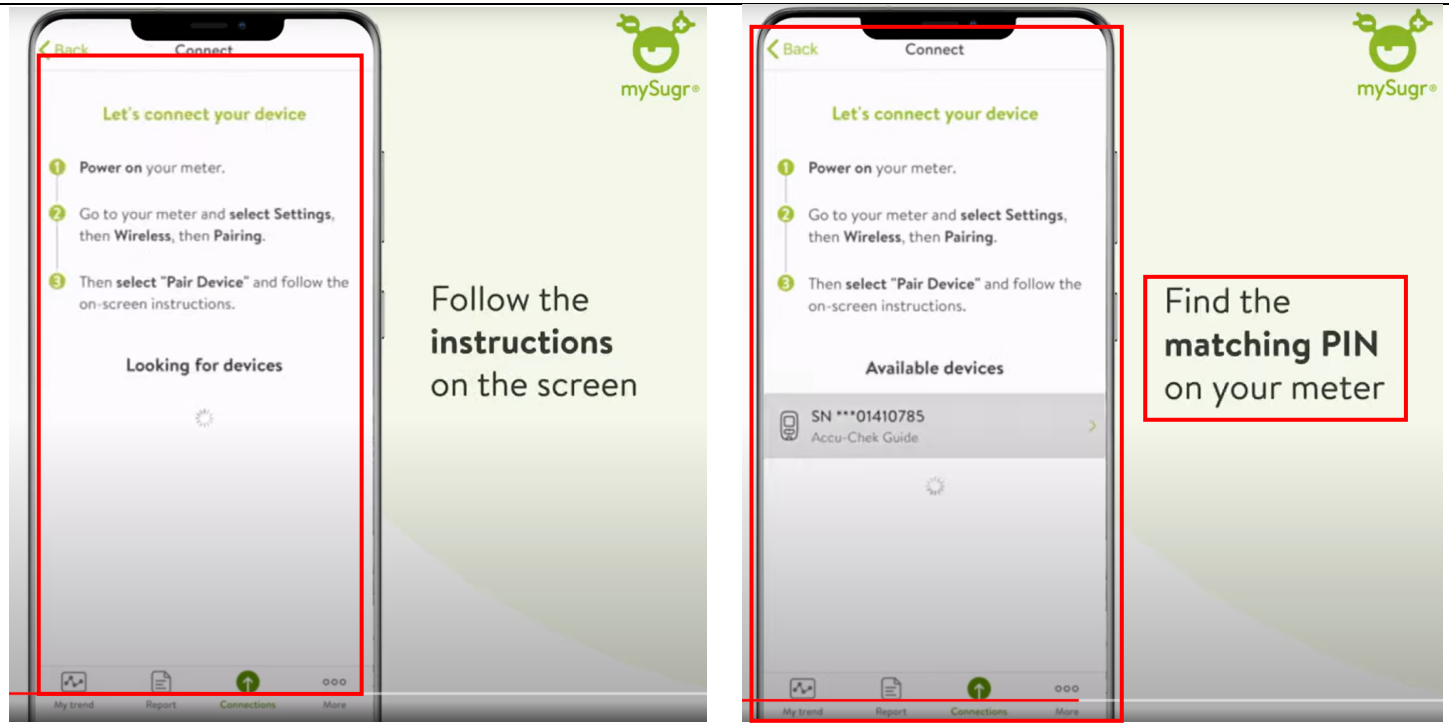


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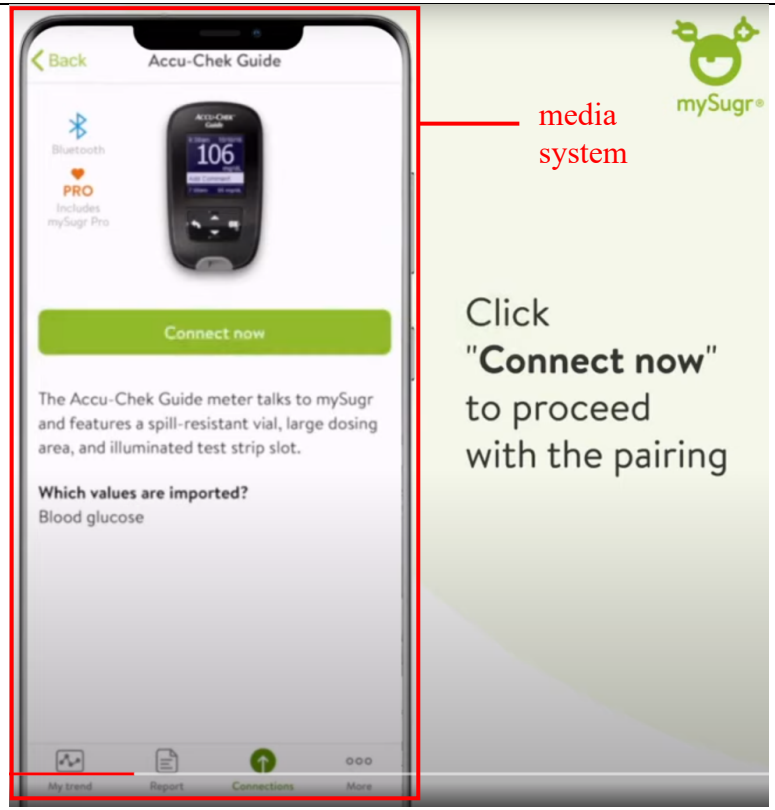


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Exhibit 4 to the Complaint.

**How can I transfer Accu-Chek meter data to mySugr?**

Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.

Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:

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a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.

2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)
3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.
4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.
5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.
6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen

Source: https://www.accu-chek.com/support/products/guide

Exhibit 4 to the Complaint.

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| | Other<br>• receive data from Internet<br>• view network connections<br>• pair with Bluetooth devices<br>• access Bluetooth settings<br>• full network access<br>• run at startup<br>• control vibration<br>• prevent device from sleeping<br>Source: https://play.google.com/store/apps/details?id=com.mysugr.android.companion<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [42.5] the wireless mobile device within said wireless range, wherein said wireless mobile device is detectable by said media system, | Company makes, uses, sells and/or offers to sell the wireless mobile device within said wireless range, wherein said wireless mobile device is detectable by said media system.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the Accu-Chek Guide ("wireless mobile device") and the smartphone ("media system"), on which the mySugr app is installed, are paired with each other using the Bluetooth network ("interactive computer network"). This network facilitates the pairing of the smartphone and the Accu-Chek Guide when they are within Bluetooth range of each other. The mySugr app detects the Accu-Chek Guide which is in the Bluetooth range ("wireless mobile device is detectable by said media system"). |

Exhibit 4 to the Complaint.

**1 Personalized logging screen**

Organize the app the way it suits you better. Remove or add fields depending on your therapy needs.

**2 mySugr Analytics**

The analytics dashboard in the mySugr app provides you with an overview of your recorded blood sugars to help you identify patterns, allowing you to identify areas where your management could be optimized.

**3 Data Reports & Sharing**

mySugr Reports compile your data for easy printing or digital sharing. You can access and download your data anytime, anywhere and feel free to share your reports with your family, caregivers, and healthcare team for accountability and support.

Source: https://www.accu-chek.com/products/mysugr (annotated)

**5 mySugr Connectivity**

Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More

Source: https://www.accu-chek.com/products/meters/guide

Exhibit 4 to the Complaint.

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| | **Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that<br>1. utilizes Bluetooth low energy technology,<br>2. it is paired with, and<br>3. has an application that can accept the meter data.<br>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70 |

Exhibit 4 to the Complaint.

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| | **How can I transfer Accu-Chek meter data to mySugr?** ^<br><br>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.<br><br>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:<br><br>1. If you are using an Apple device, make sure Bluetooth® is turned on.<br><br>a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.<br><br>2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)<br>3. Open the mySugr app and go to the “Connections” tab in the bar menu located at the bottom of the screen.<br>4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.<br>5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.<br>6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<br><br>Source: https://www.accu-chek.com/support/products/guide |

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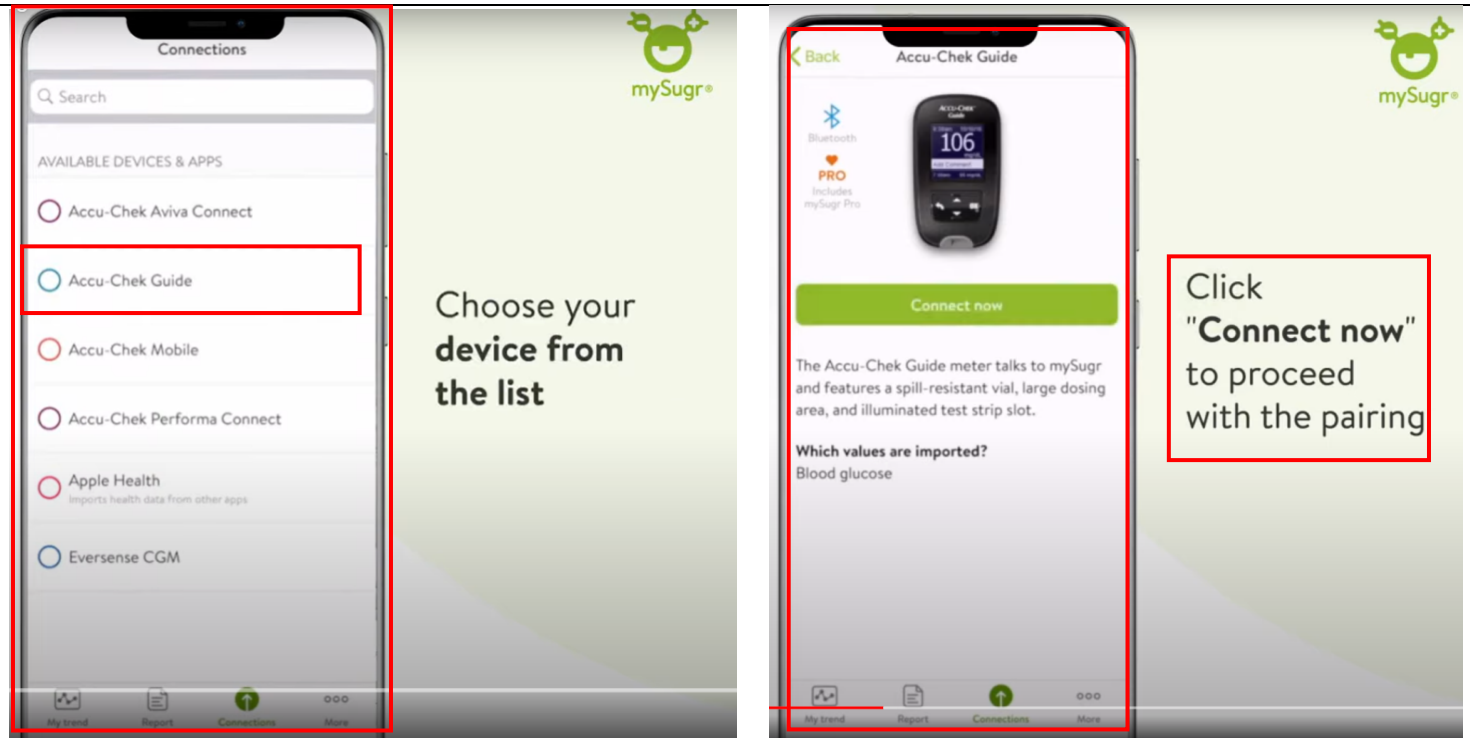


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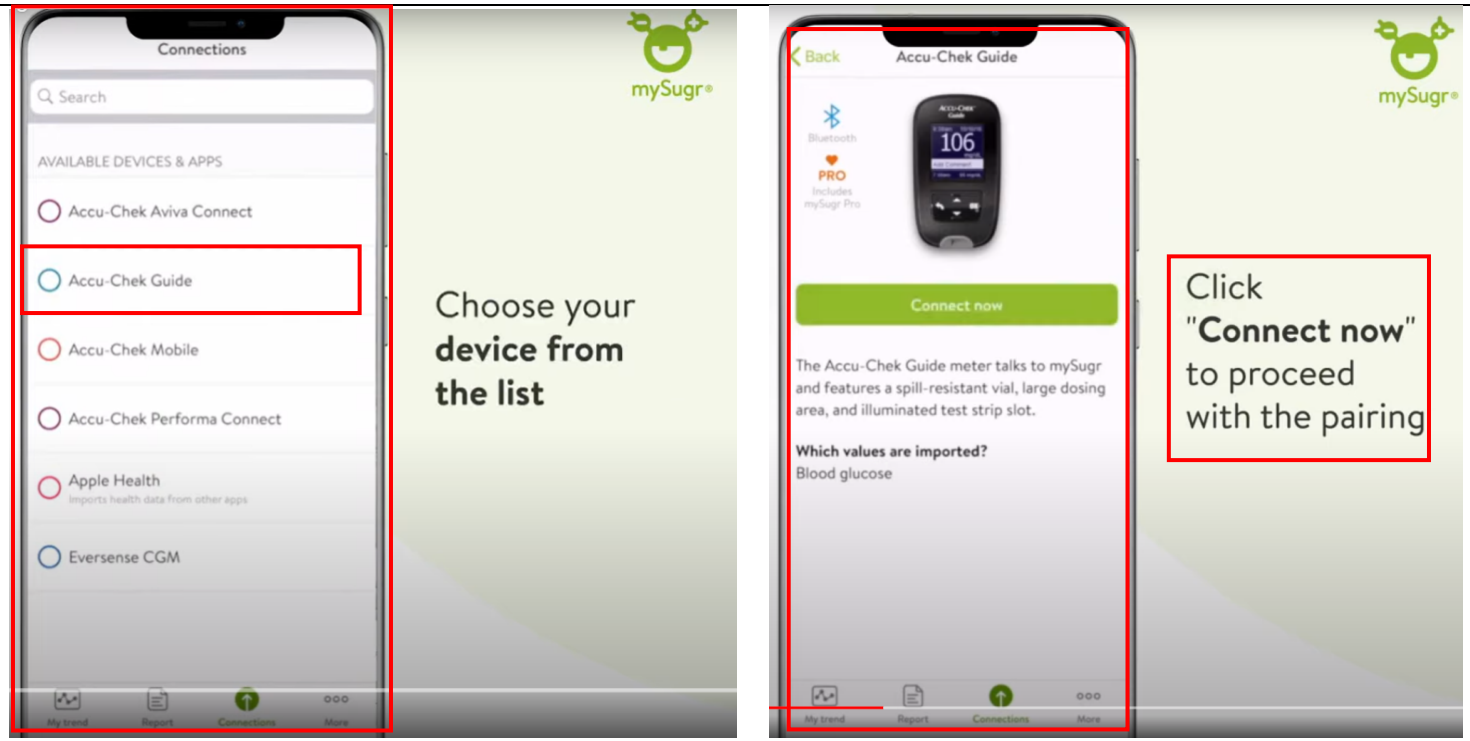


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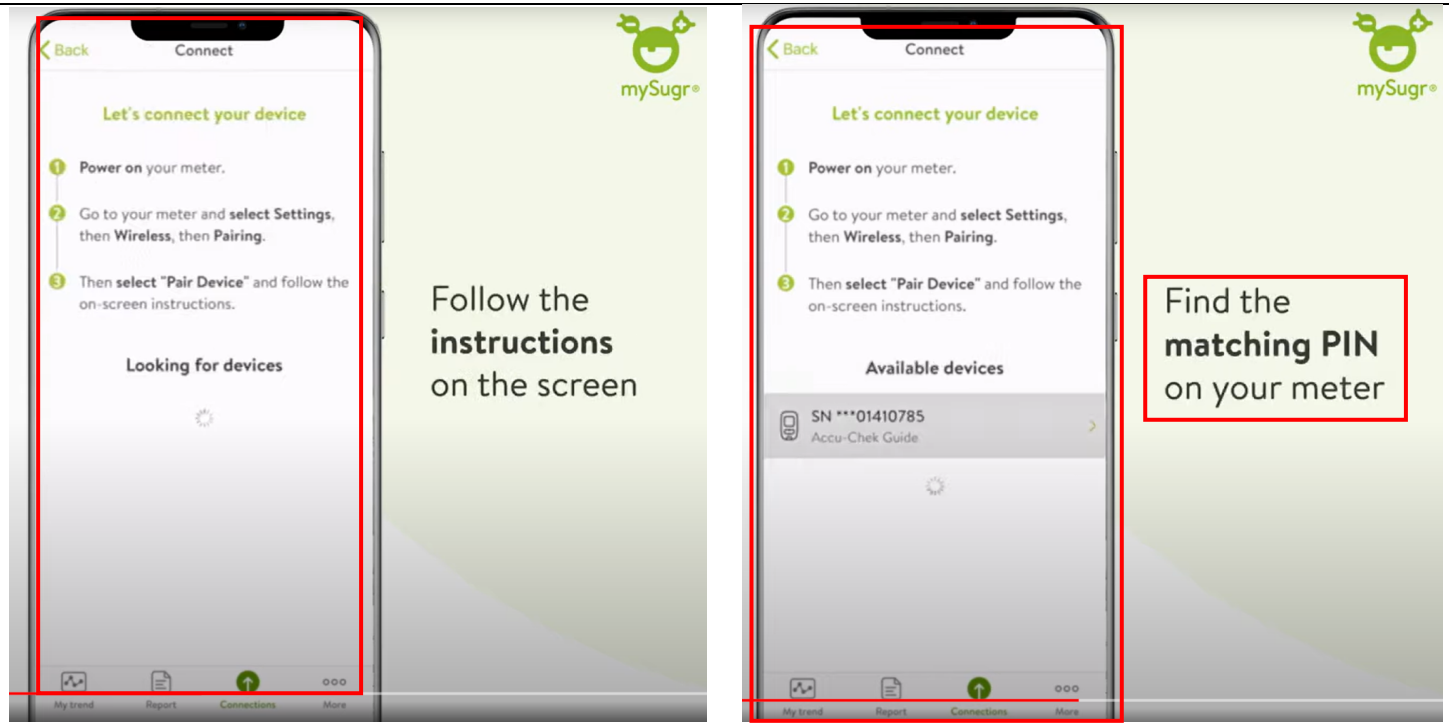


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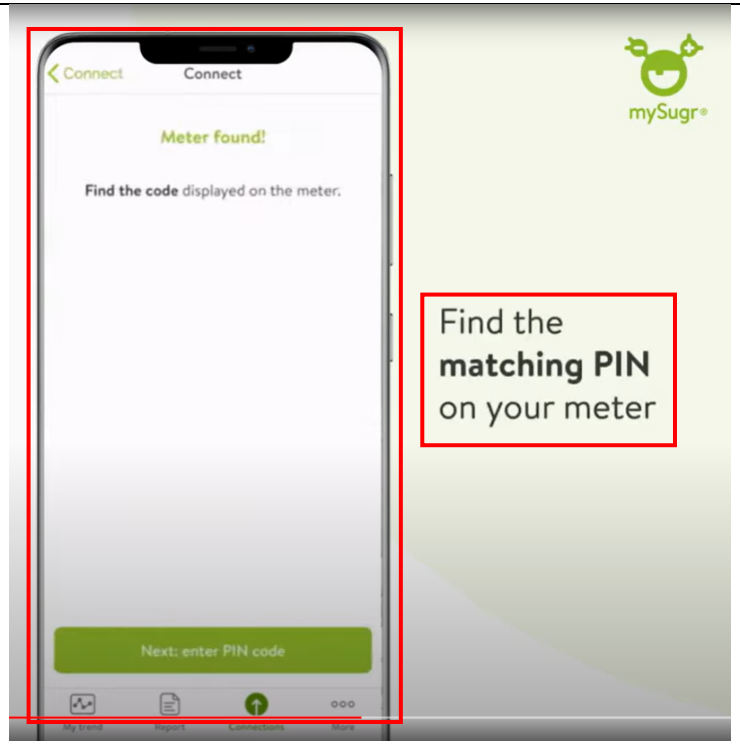


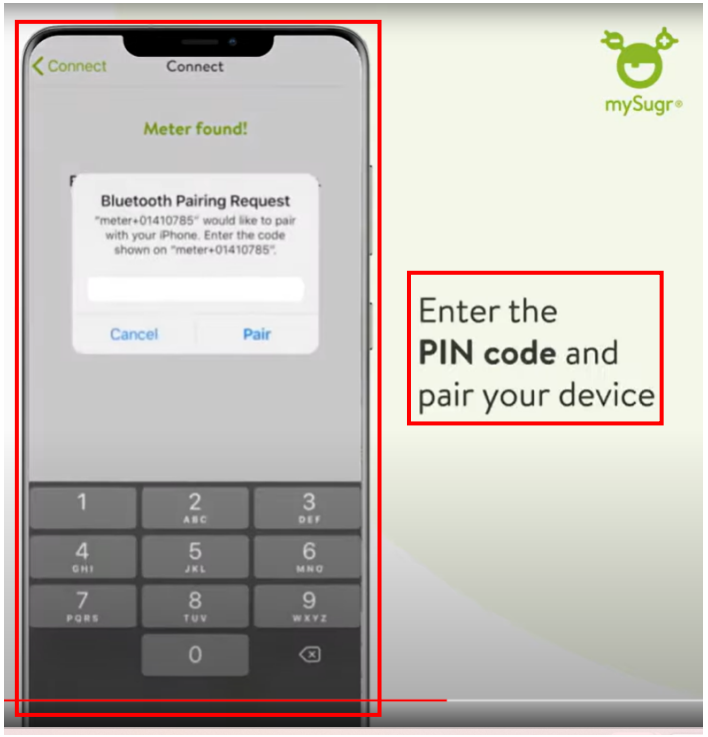


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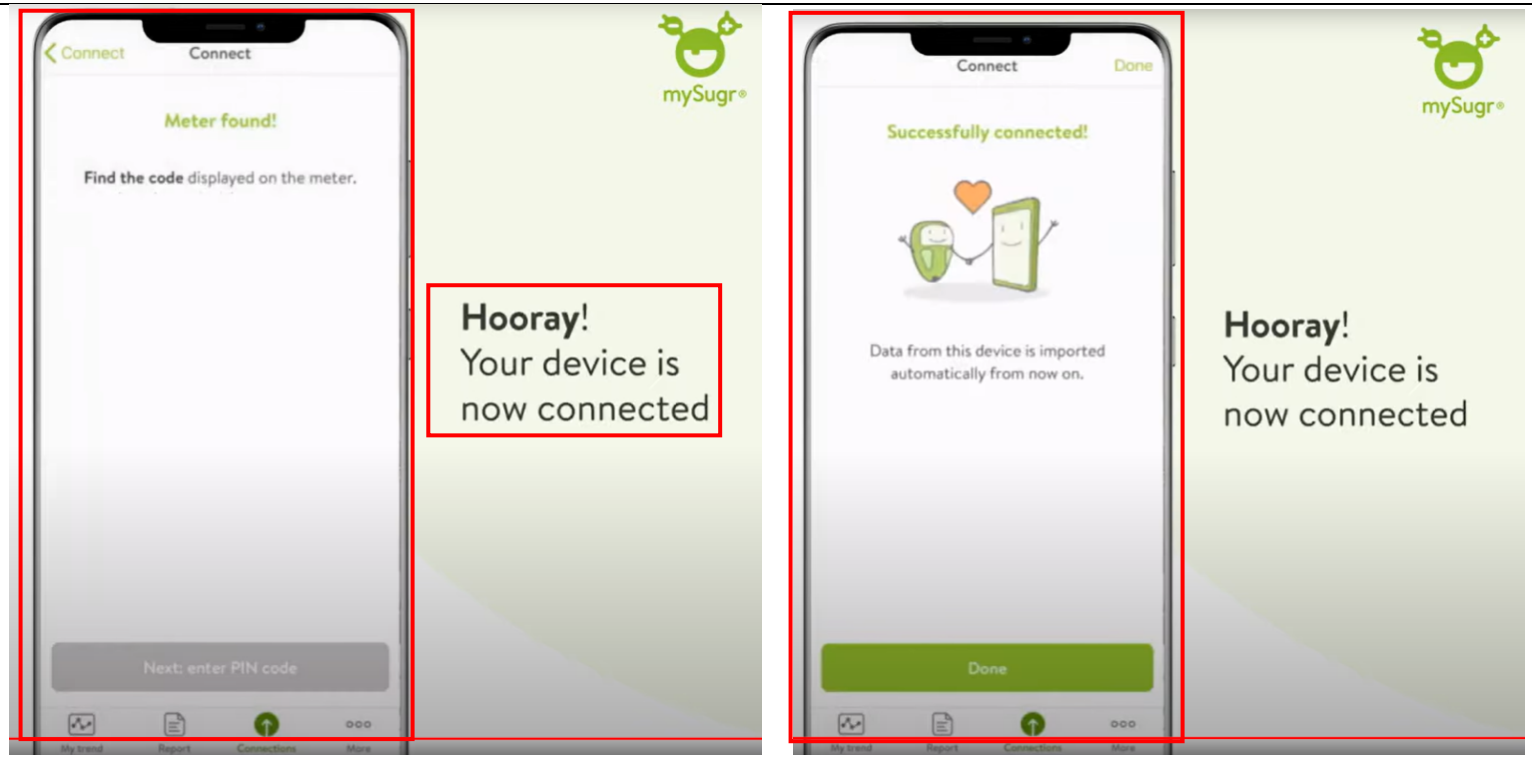


Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:38, 0:40

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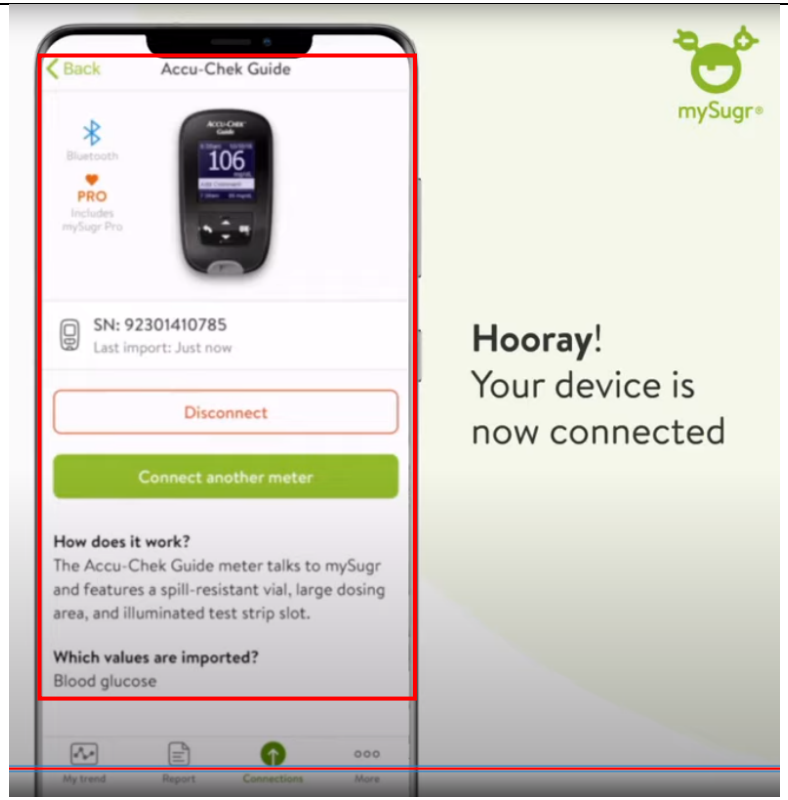
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [42.6] at least one digital media file initially disposed on the wireless mobile | Company makes, uses, sells and/or offers to sell at least one digital media file initially disposed on the wireless mobile device, said media system being structured to detect said wireless mobile device disposed within said wireless range.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the Accu-Chek Guide ("wireless mobile device") employs the Bluetooth network to pair with the mySugr app which is installed on the user's smartphone. The Accu-Chek Guide is within the Bluetooth range of the smartphone |

Exhibit 4 to the Complaint.

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| device, said media system being structured to detect said wireless mobile device disposed within said wireless range, | where the mySugr app is installed. The smartphone, on which the mySugr app is installed, detects the Accu-Chek Guides which are within its Bluetooth range ("media system being structured to detect said wireless mobile device disposed within said wireless range").<br><br>**1 Personalized logging screen**<br>Organize the app the way it suits you better. Remove or add fields depending on your therapy needs.<br><br>**2 mySugr Analytics**<br>The analytics dashboard in the mySugr app provides you with an overview of your recorded blood sugars to help you identify patterns, allowing you to identify areas where your management could be optimized.<br><br>**3 Data Reports & Sharing**<br>mySugr Reports compile your data for easy printing or digital sharing. You can access and download your data anytime, anywhere and feel free to share your reports with your family, caregivers, and healthcare team for accountability and support.<br><br> <br><br>Source: https://www.accu-chek.com/products/mysugr (annotated) |

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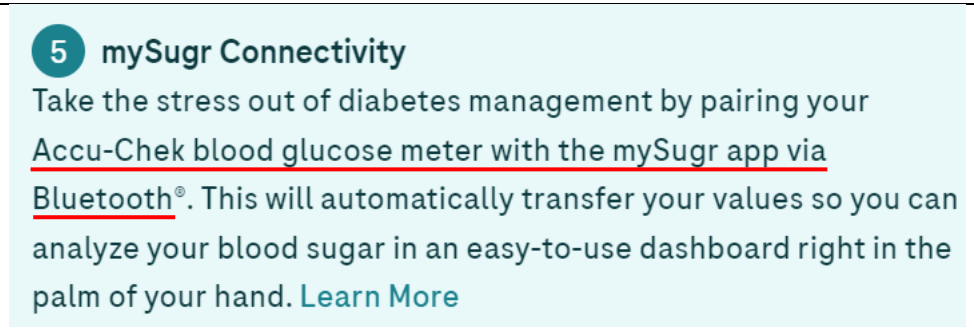


Source: https://www.accu-chek.com/products/meters/guide

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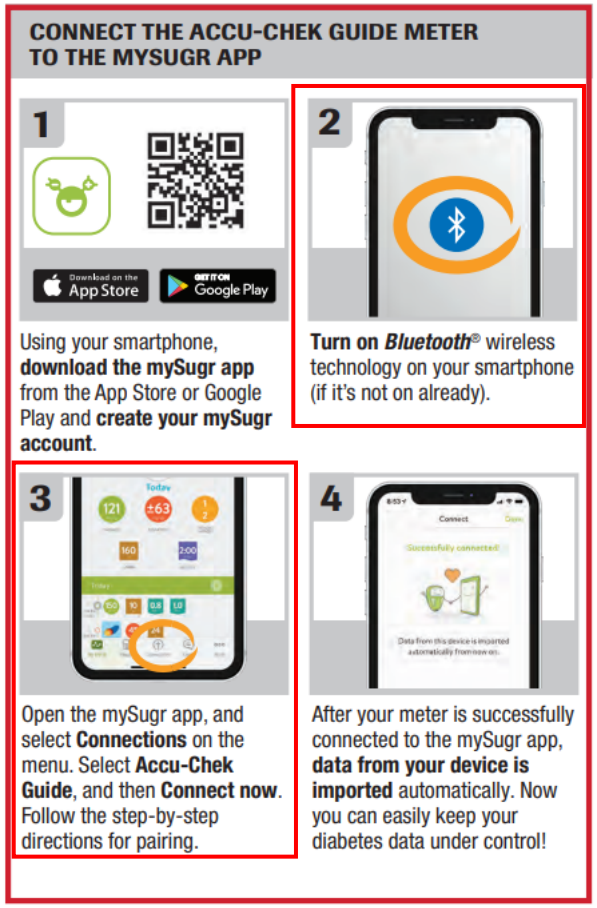
wireless mobile device

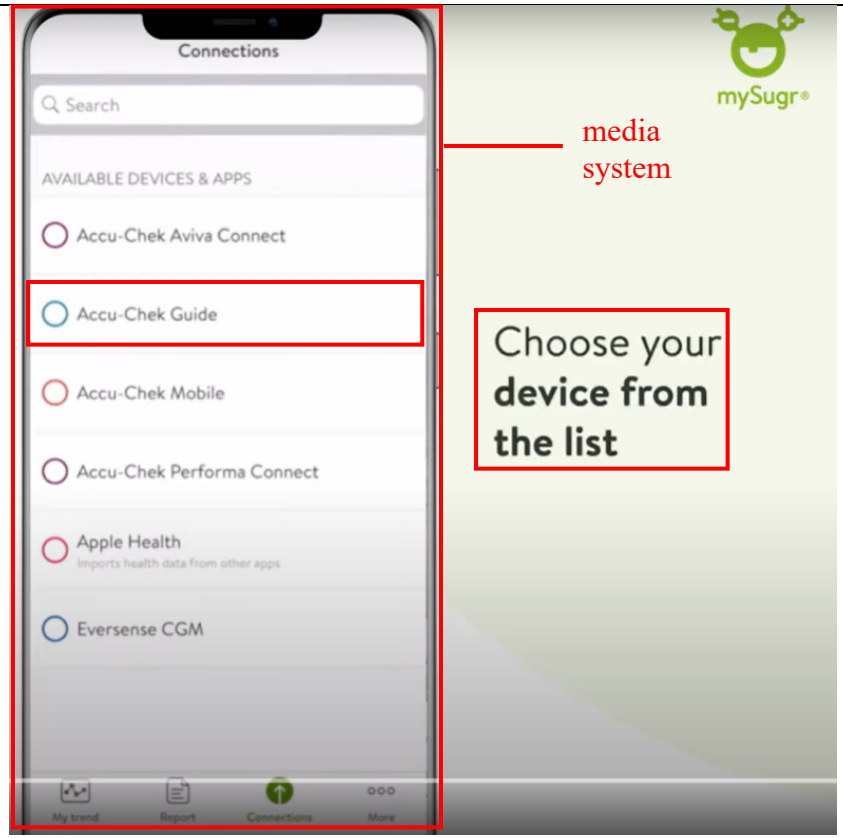
Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70 (annotated)

Exhibit 4 to the Complaint.




Source: https://www.accu-chek.com/document/accu-chek-guide-quick-start-guide-2/download, Page 1 of 2

Exhibit 4 to the Complaint.




Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:12 (annotated)

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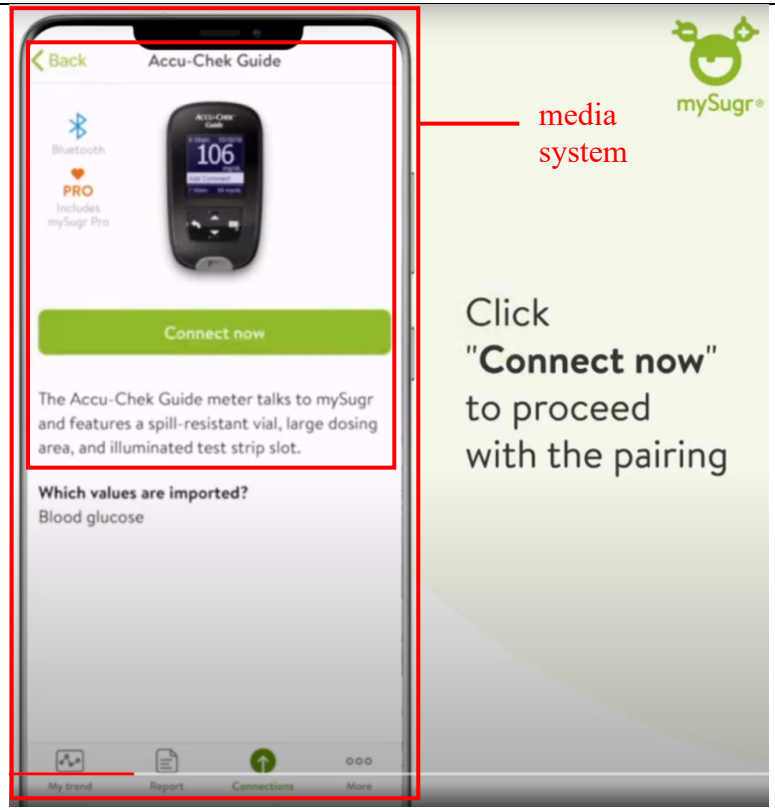


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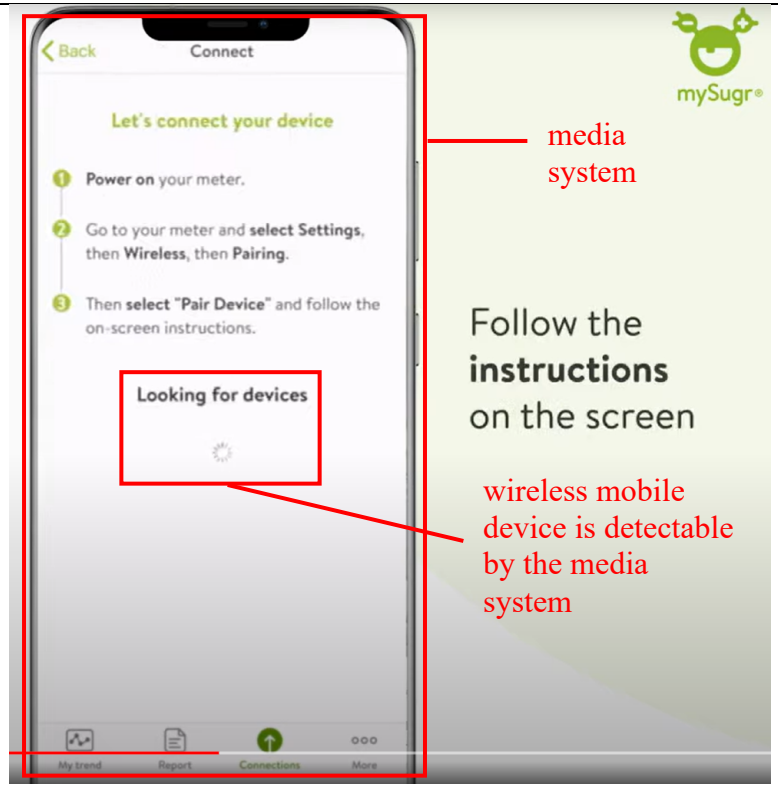


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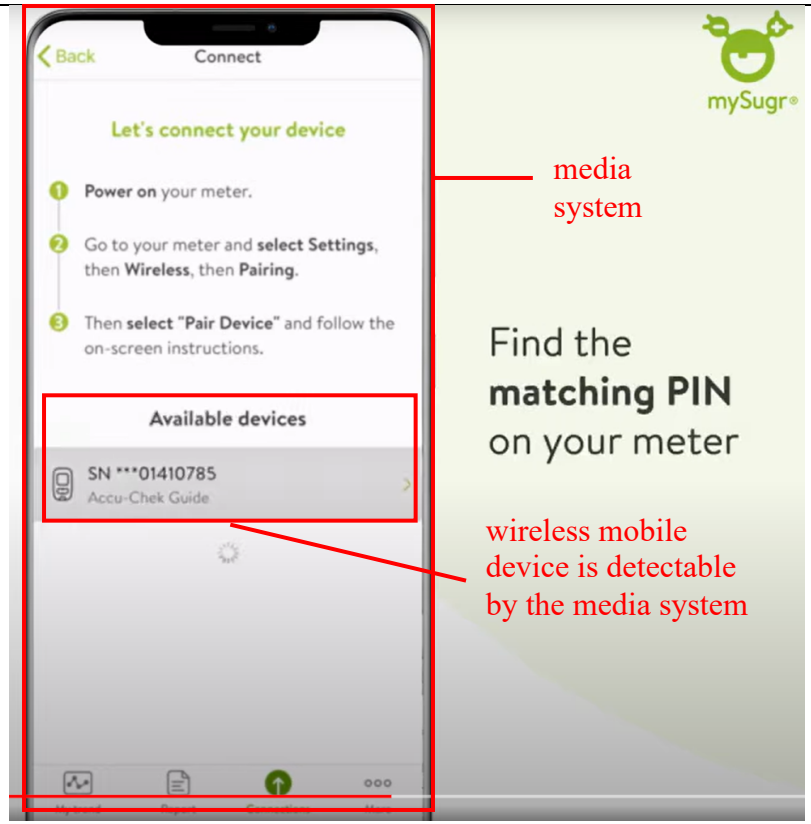
Exhibit 4 to the Complaint.




Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:25 (annotated)

Exhibit 4 to the Complaint.

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| | **How can I transfer Accu-Chek meter data to mySugr?**<br><br>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.<br><br>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:<br><br>1. If you are using an Apple device, make sure Bluetooth® is turned on.<br><br>a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.<br><br>2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)<br>3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.<br>4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.<br>5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.<br>6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<br><br>Source: https://www.accu-chek.com/support/products/guide<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [42.7] a communication link structured to | Company makes, uses, sells and/or offers to sell a communication link structured to dispose said media system and said wireless mobile device in a communicative relation with one another via said at least one interactive computer network.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents. |

Exhibit 4 to the Complaint.

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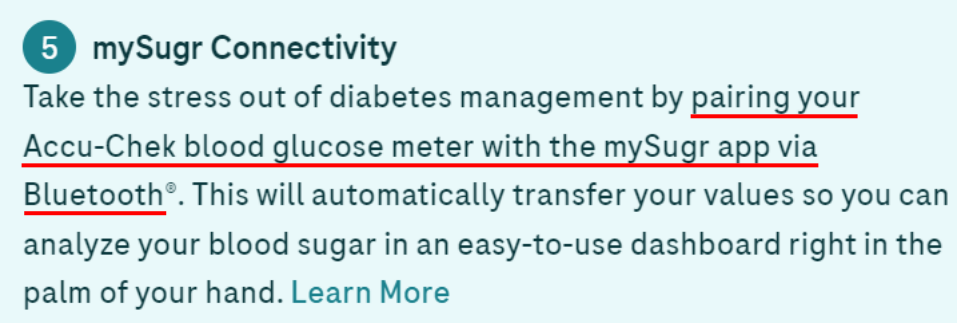
| dispose said media system and said wireless mobile device in a communicative relation with one another via said at least one interactive computer network, | For example, mySugr app installed on the user's smartphone and Accu-Chek Guide establishes a connection through Bluetooth pairing. This process creates a Bluetooth channel ("communication link structured to dispose") between Accu-Chek Guide meter and mySugr app for the transfer of the measured blood sugar levels ("a communicative relation with one another via said at least interactive computer network").<br><br>  <br>Source: https://www.accu-chek.com/products/meters/guide |

Exhibit 4 to the Complaint.

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| | **Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that<br>1. utilizes Bluetooth low energy technology,<br>2. it is paired with, and<br>3. has an application that can accept the meter data.<br>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70 |

Exhibit 4 to the Complaint.

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1. If you are using an Apple device, make sure Bluetooth® is turned on.

a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.

2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)
3. Open the mySugr app and go to the “Connections” tab in the bar menu located at the bottom of the screen.
4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.
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Source: https://www.accu-chek.com/support/products/guide

Exhibit 4 to the Complaint.

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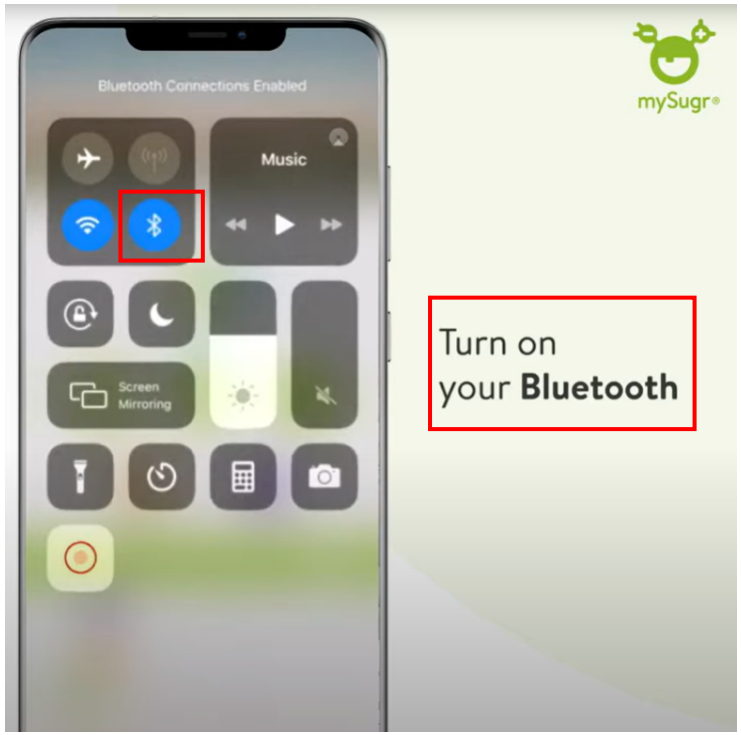
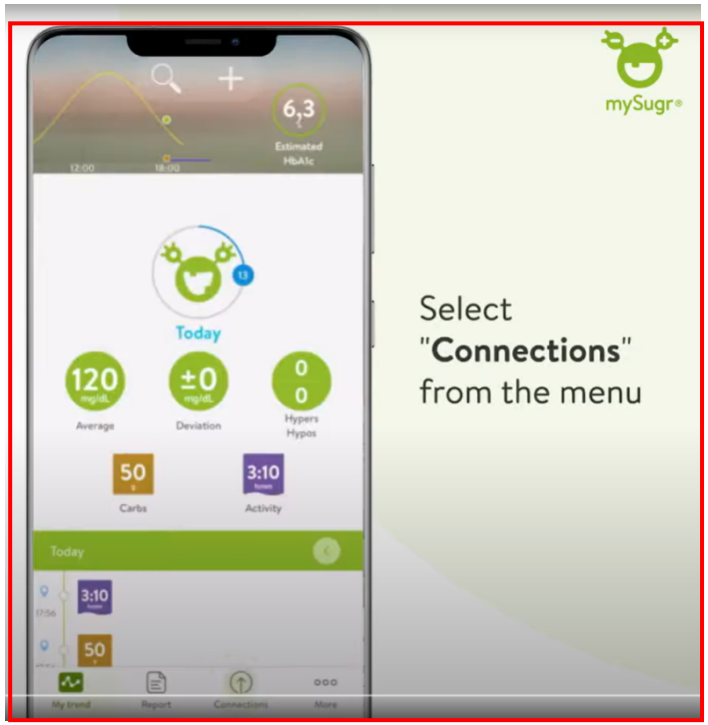
| |   Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:07, 0:09 |

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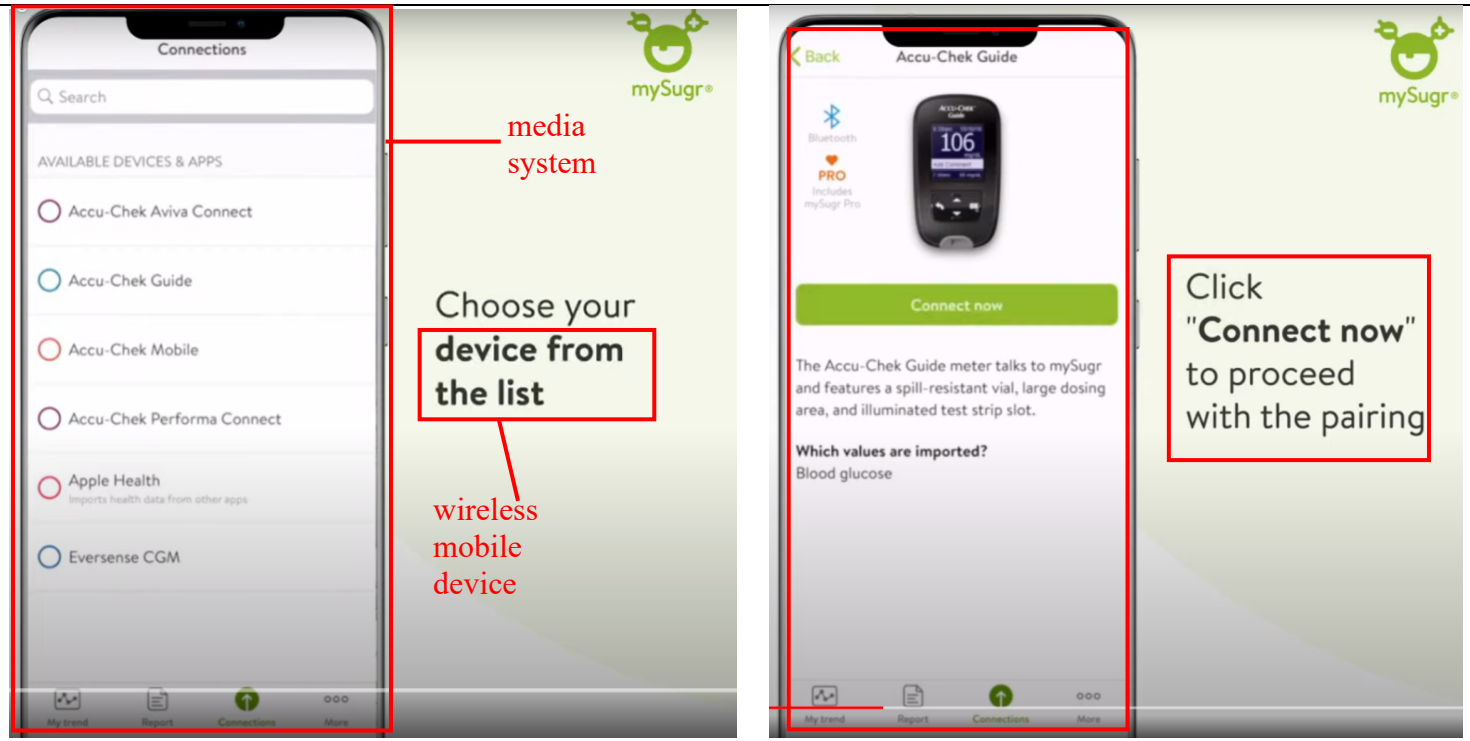


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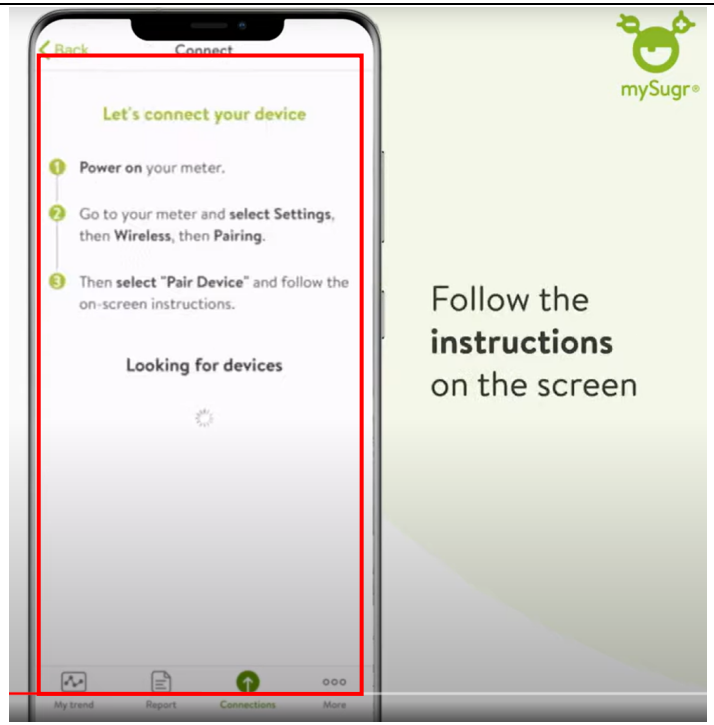
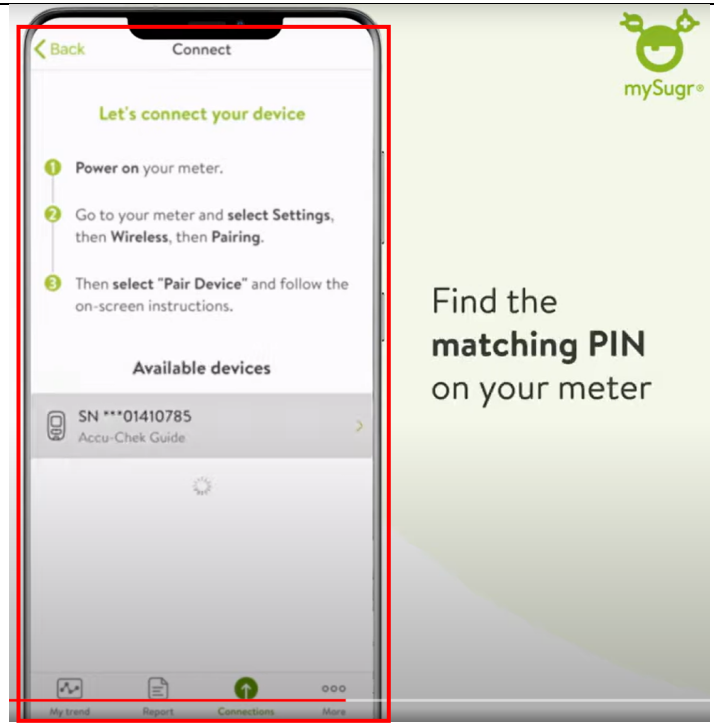
Exhibit 4 to the Complaint.

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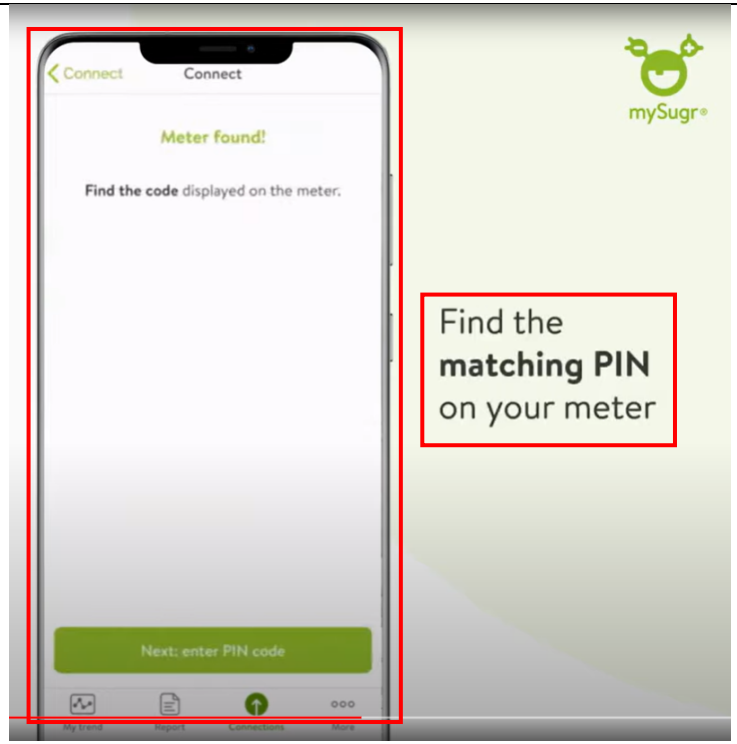


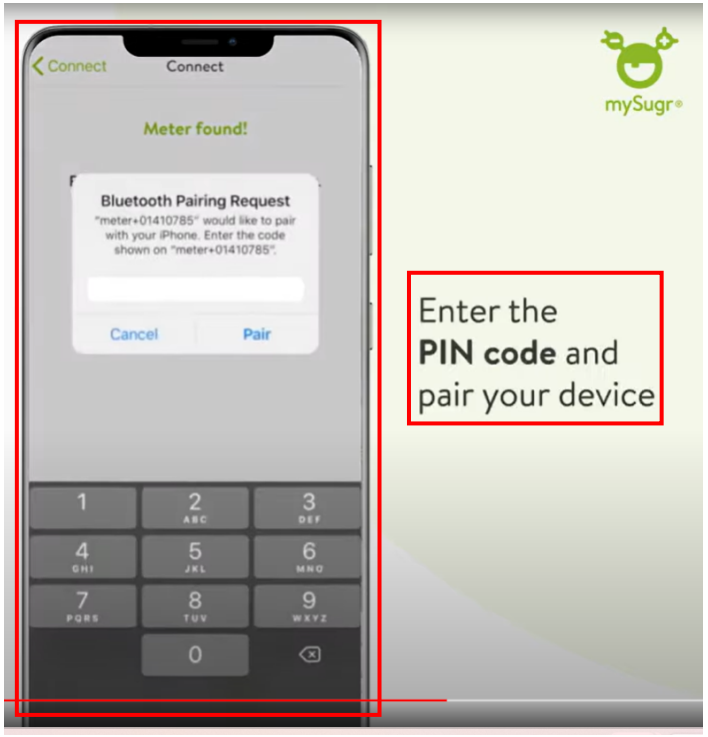


Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:26, 0:29

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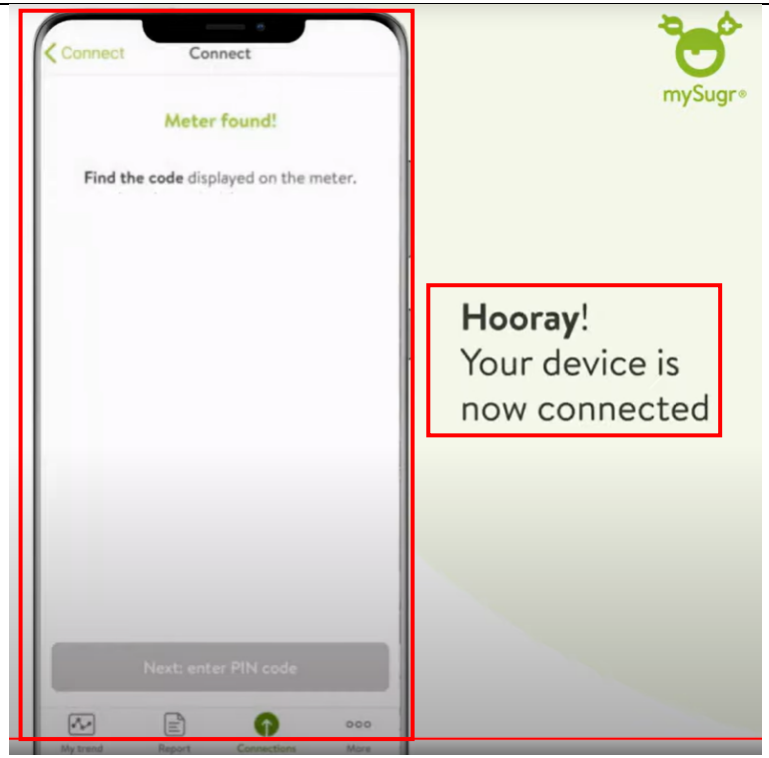


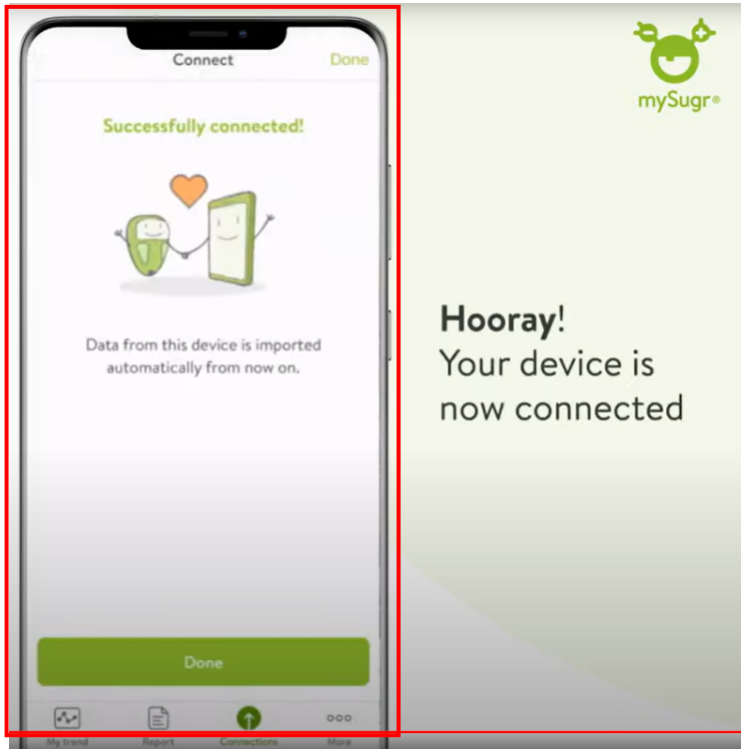


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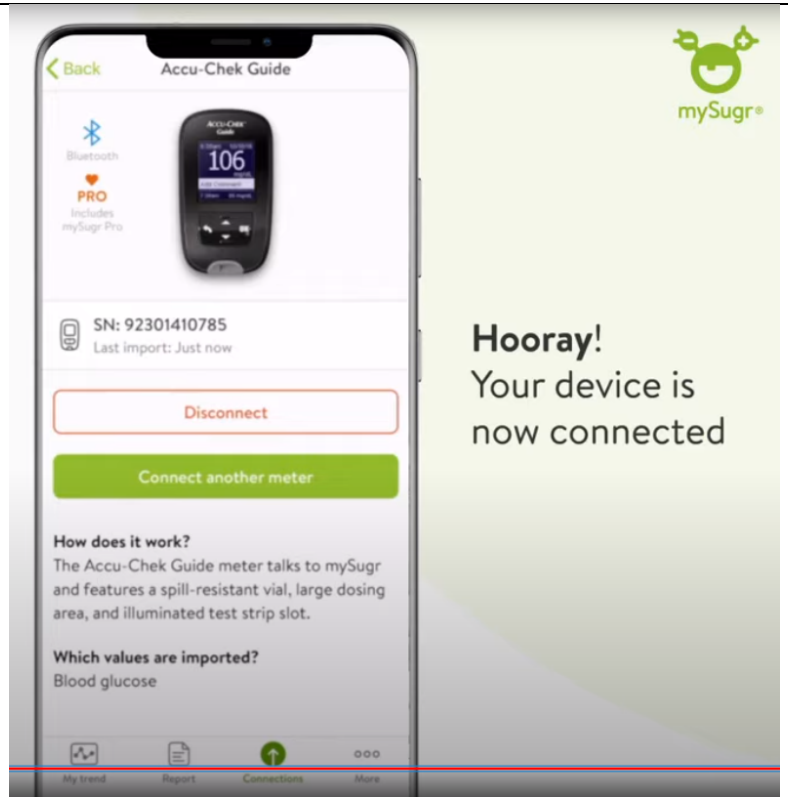
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [42.8] said communication link being initiated by said media system, | Company makes, uses, sells and/or offers to sell said communication link being initiated by said media system.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the mySugr app, installed on the smartphone, initiates Bluetooth pairing to establish the communication channel with the Accu-Chek Guide. |

Exhibit 4 to the Complaint.

**How can I transfer Accu-Chek meter data to mySugr?**

Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.

Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:

1. If you are using an Apple device, make sure Bluetooth® is turned on.

a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.

2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)
3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.
4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.
5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.
6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen

Source: https://www.accu-chek.com/support/products/guide

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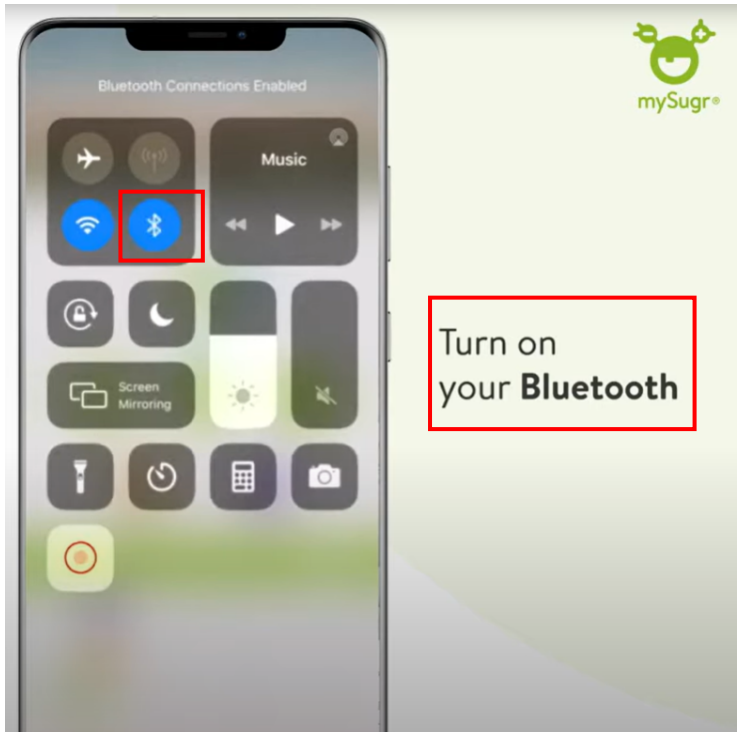


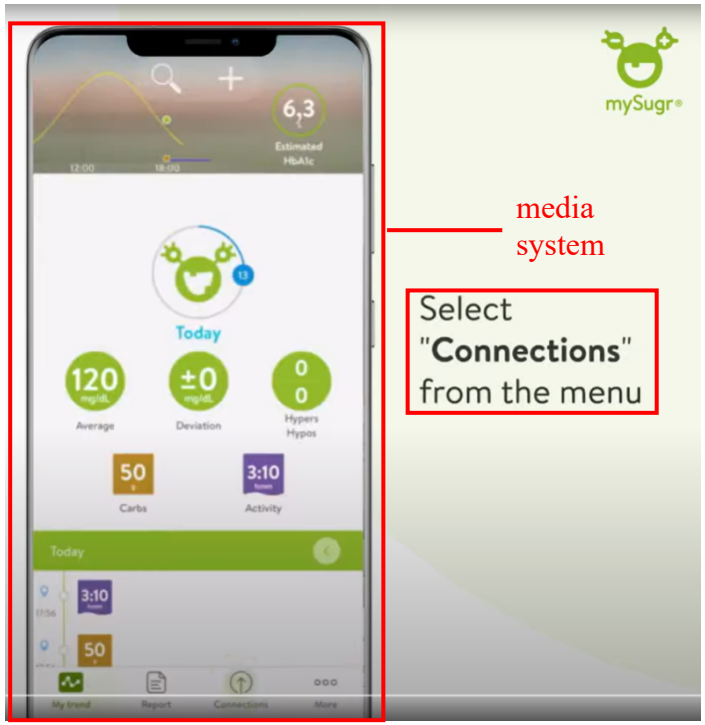


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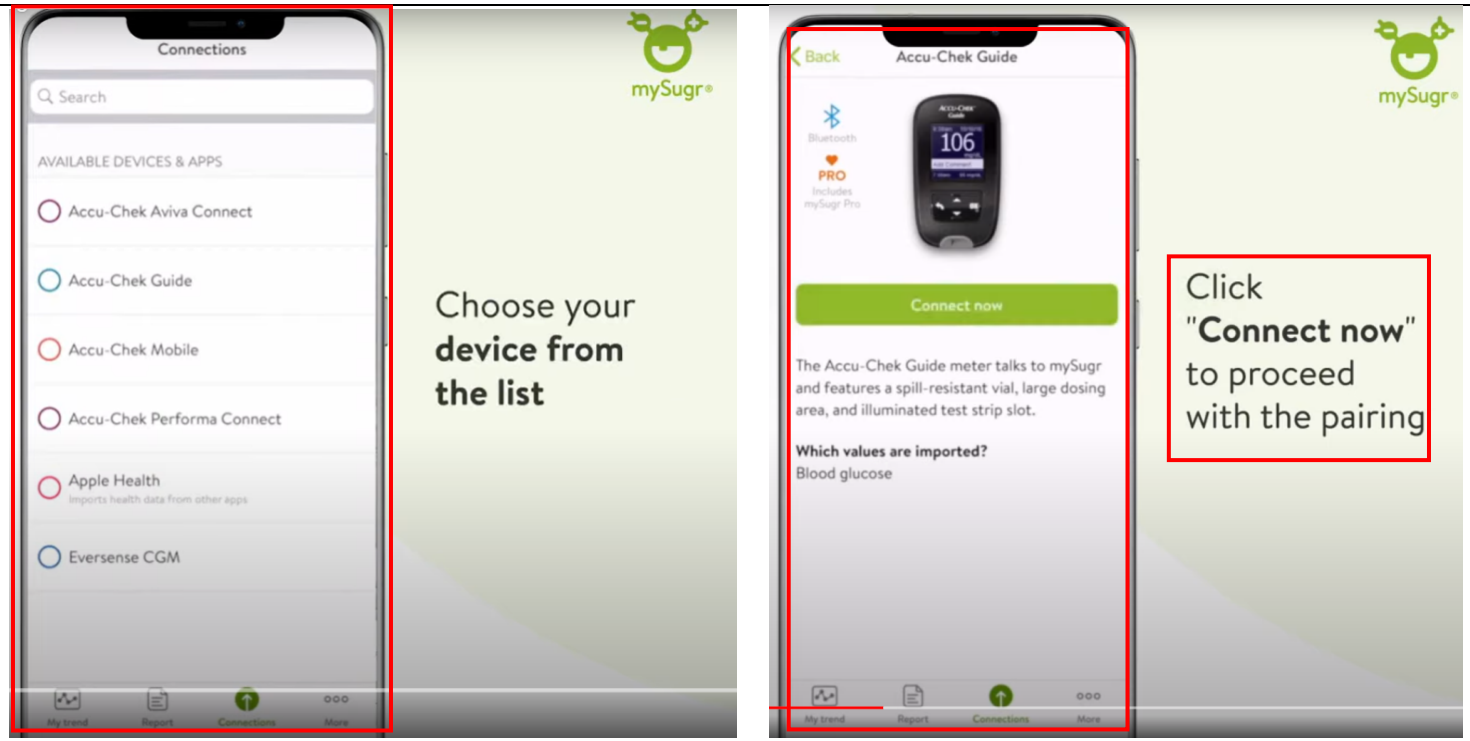


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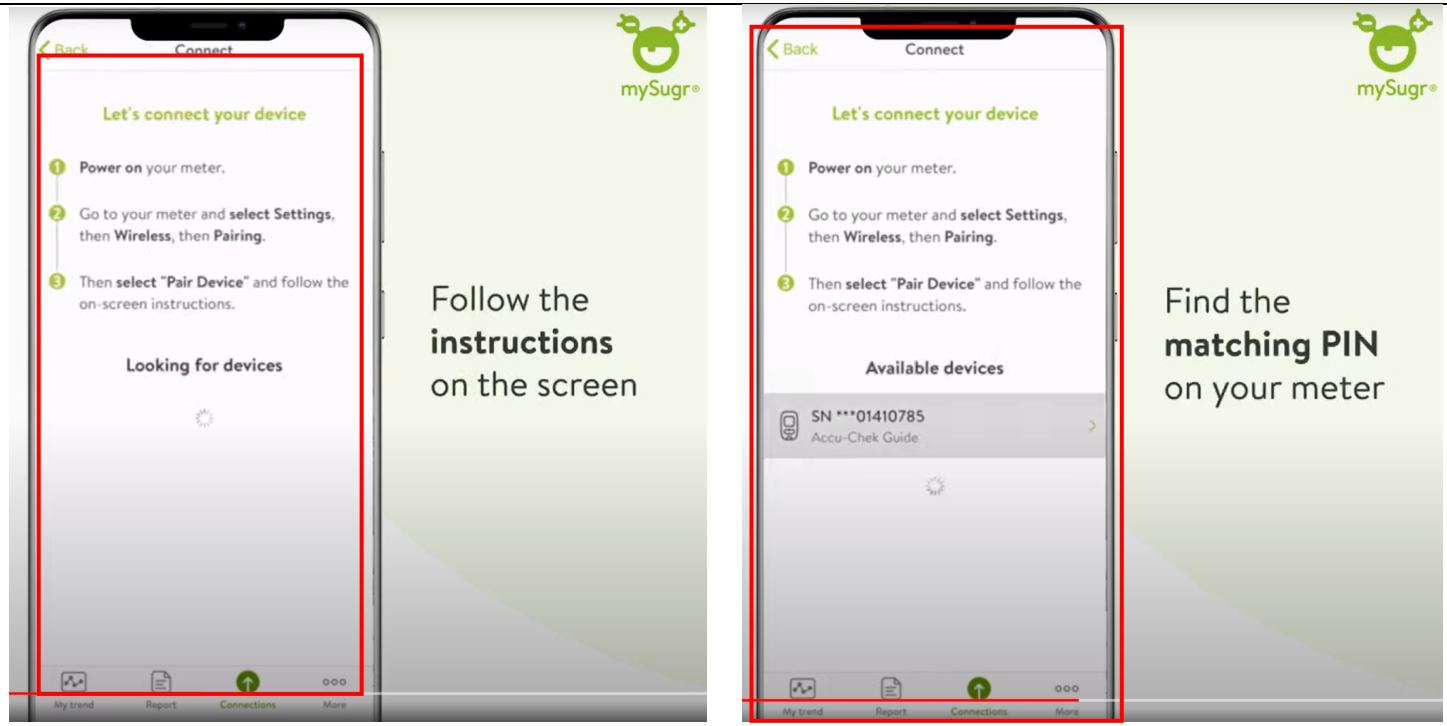


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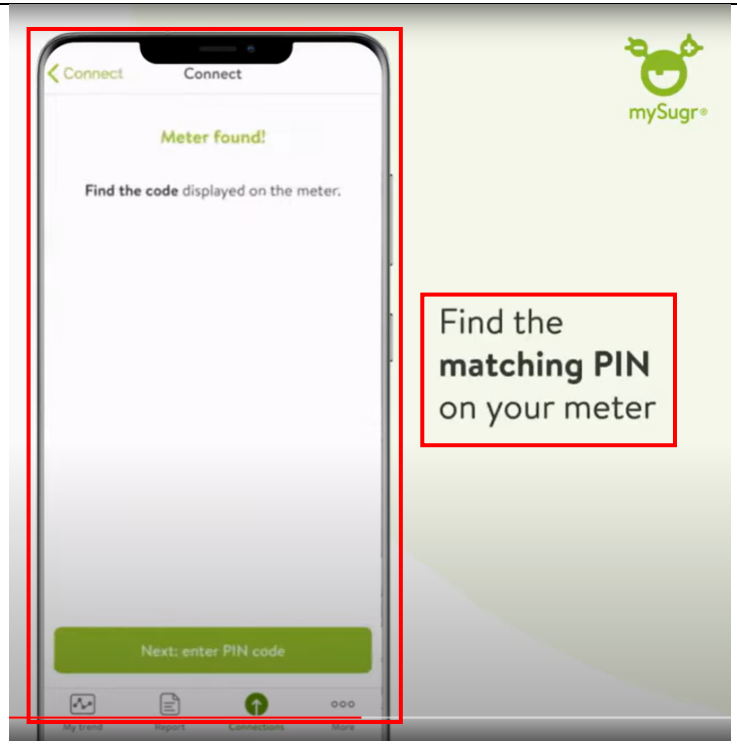


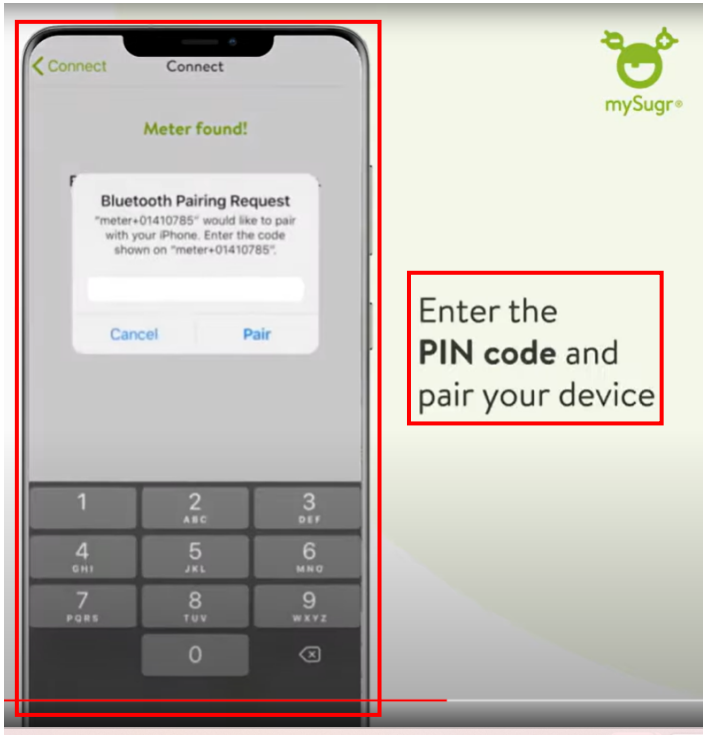


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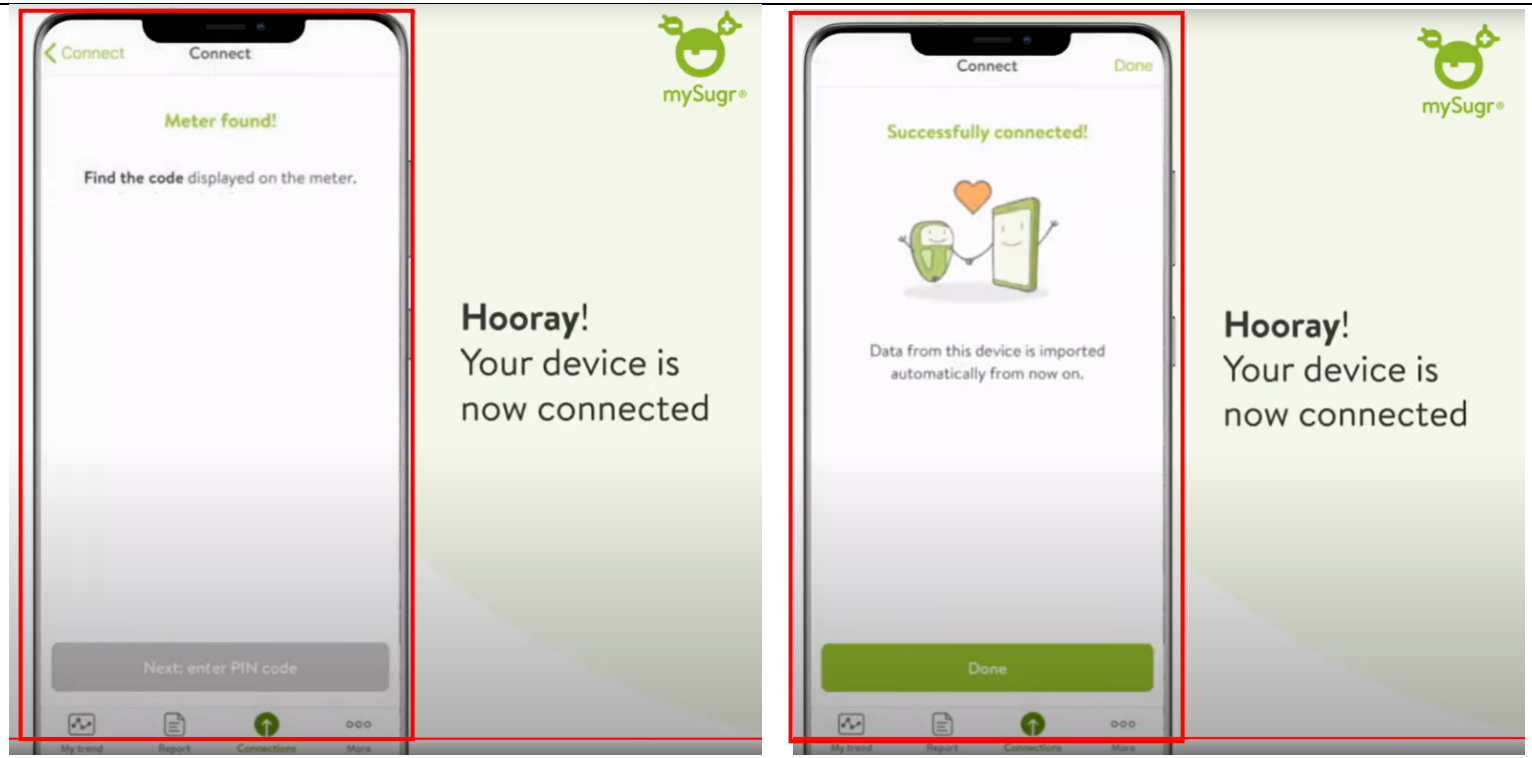


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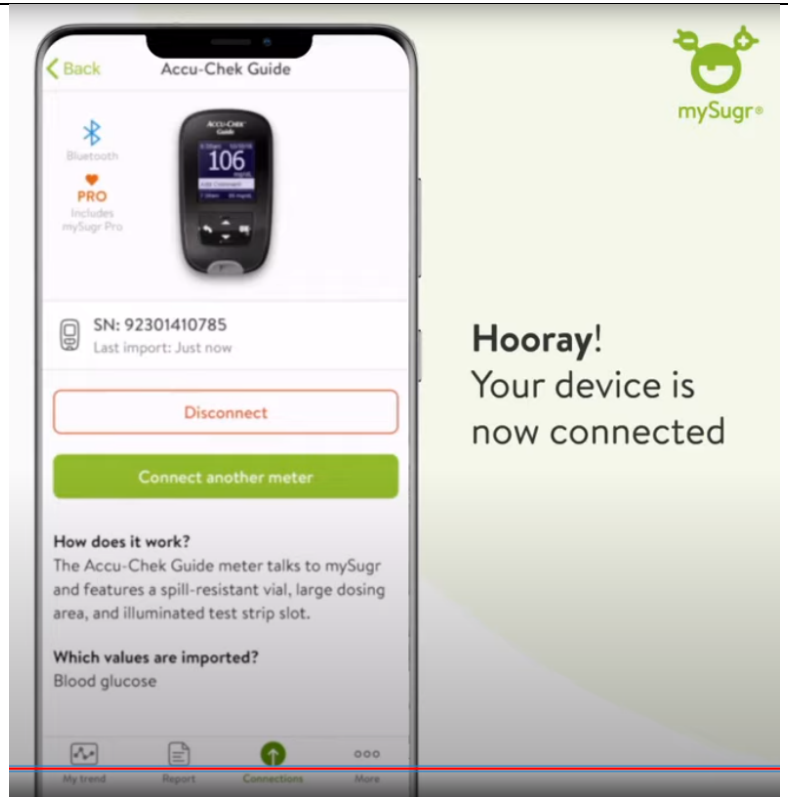
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [42.9] said wireless mobile device and media system being structured to | Company makes, uses, sells and/or offers to sell said wireless mobile device and media system being structured to transmit said at least one digital media file therebetween via said communication link.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, after establishing a Bluetooth channel ("communication link") between the mySugr app installed on the user's smartphone and the Accu-Chek Guide, the Accu-Chek Guide ("wireless mobile device") sends ("structured to |

Exhibit 4 to the Complaint.

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| transmit said at least one digital media file therebetween via said communication link, and | transmit") the measured blood sugar levels ("at least one digital media file") to the mySugr app installed on the user's smartphone ("media system").<br><br>**5 mySugr Connectivity**<br>Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More<br>Source: https://www.accu-chek.com/products/meters/guide<br><br>**Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that<br>1. utilizes Bluetooth low energy technology,<br>2. it is paired with, and<br>3. has an application that can accept the meter data.<br>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70 |

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|---|---|
| | **How can I transfer Accu-Chek meter data to mySugr?** ^<br><br>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.<br><br>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:<br><br>1. If you are using an Apple device, make sure Bluetooth® is turned on.<br><br>a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.<br><br>2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)<br>3. Open the mySugr app and go to the “Connections” tab in the bar menu located at the bottom of the screen.<br>4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.<br>5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.<br>6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<br>Source: https://www.accu-chek.com/support/products/guide |

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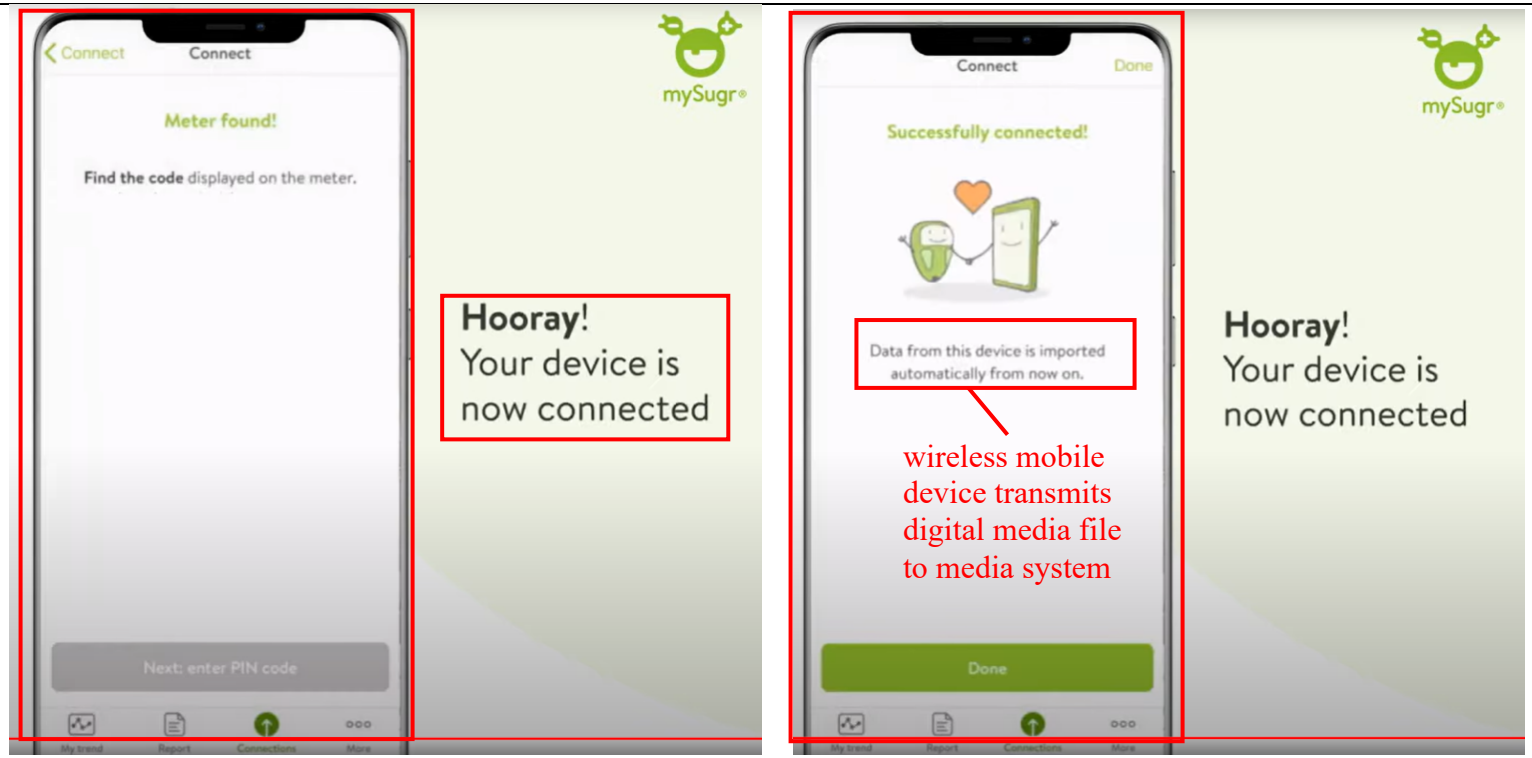


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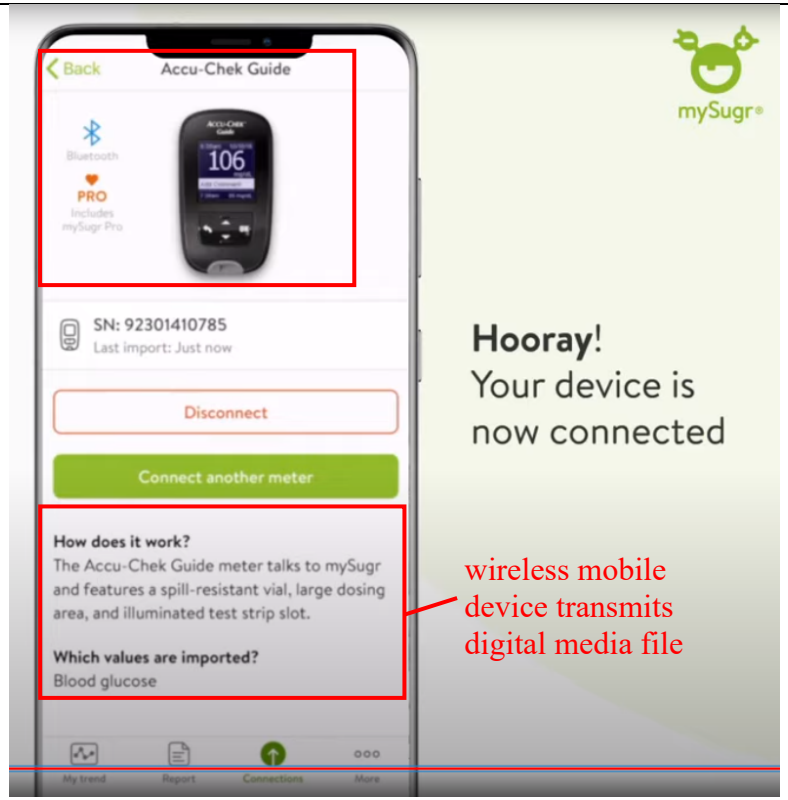
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43 (annotated)<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [42.10] said communication link is structured to bypass the security measure of | Company makes, uses, sells and/or offers to sell said communication link is structured to bypass the security measure of the media system for a limited permissible use of the communication link by the wireless mobile device for only transferring the at least one digital media file to, and displaying the at least one digital media file on, the media system.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents. |

Exhibit 4 to the Complaint.

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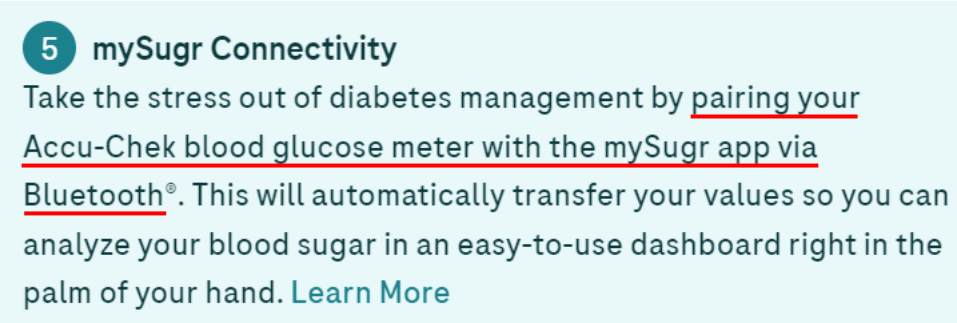
|---|---|
| the media system for a limited permissible use of the communication link by the wireless mobile device for only transferring the at least one digital media file to, and displaying the at least one digital media file on, the media system. | For example, the Accu-Chek Guide meter and the mySugr app do not require users to input a PIN ("security measure") every time they communicate. Instead, the PIN input is necessary during the initial pairing process, and thereafter, the devices automatically exchange data without requiring users to re-enter the PIN ("security measure of the media system"). The Accu-Chek Guide meter uses that communication channel only for transmitting the measured blood sugar levels to the mySugr app ("bypass the security measure of the media system for a limited permissible use of the communication link by the wireless mobile device for only transferring the at least one digital media file"). The mySugr app displays the received the measured blood sugar levels. Therefore, upon information and belief, the Bluetooth channel created between Accu-Chek Guide meter and mySugr app bypass the security measure of the media system.<br><br>  <br><br>Source: https://www.accu-chek.com/products/meters/guide |

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| | **Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that<br>1. utilizes Bluetooth low energy technology,<br>2. it is paired with, and<br>3. has an application that can accept the meter data.<br>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70 |

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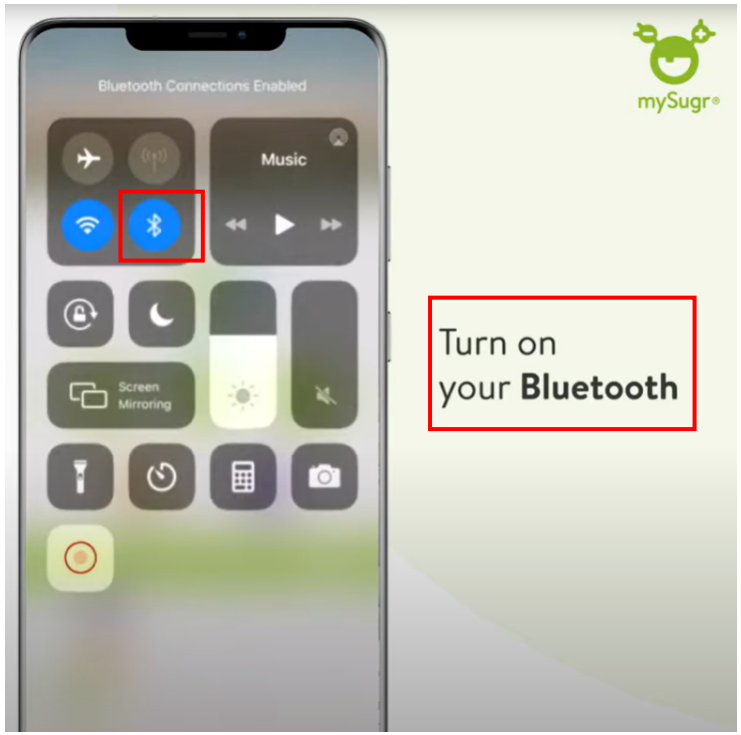
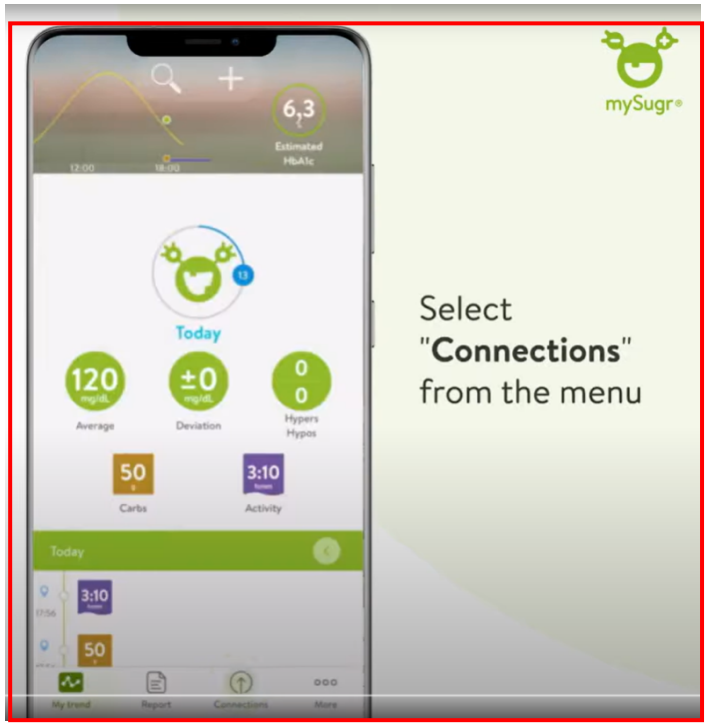
2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)
3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.
4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.
5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.
6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen

Source: https://www.accu-chek.com/support/products/guide

Exhibit 4 to the Complaint.




Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:07, 0:09

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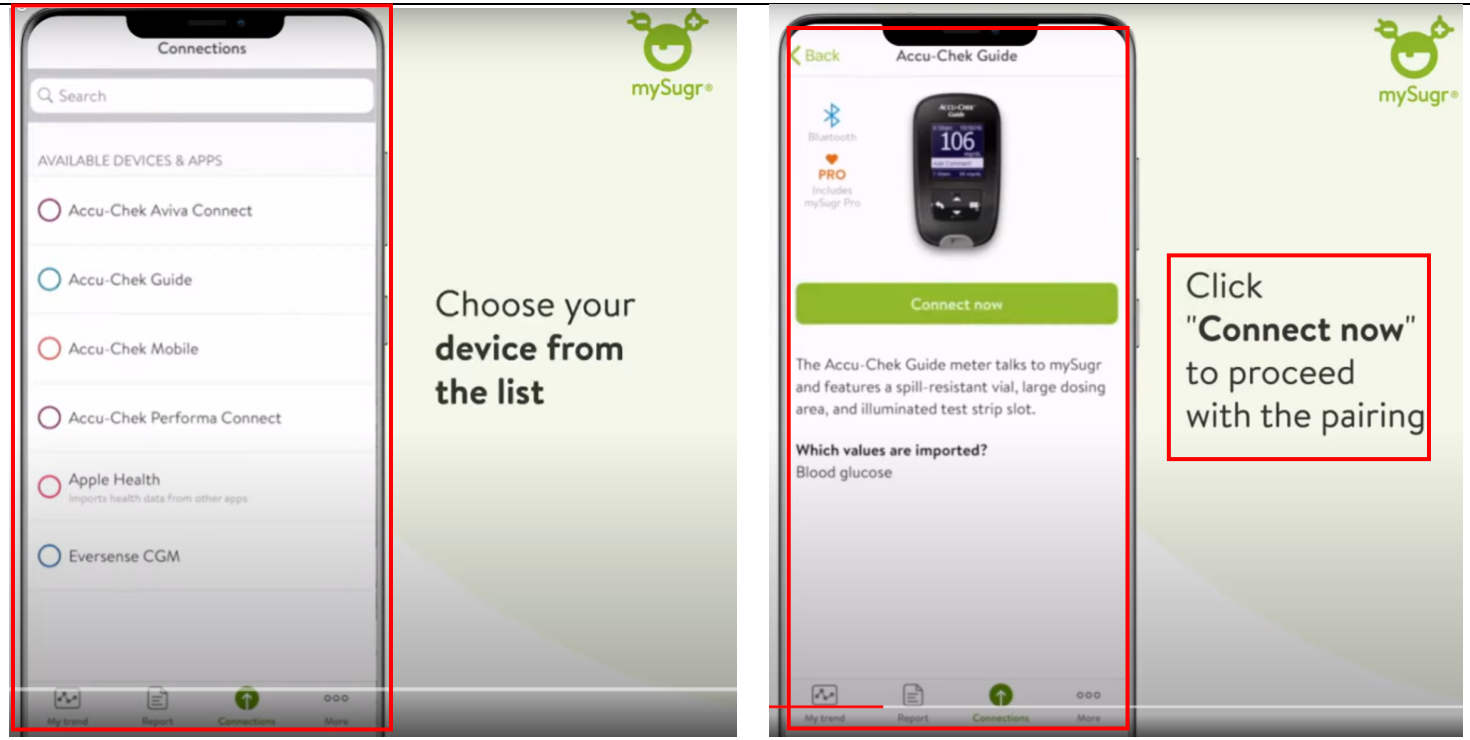
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:12, 0:17 |

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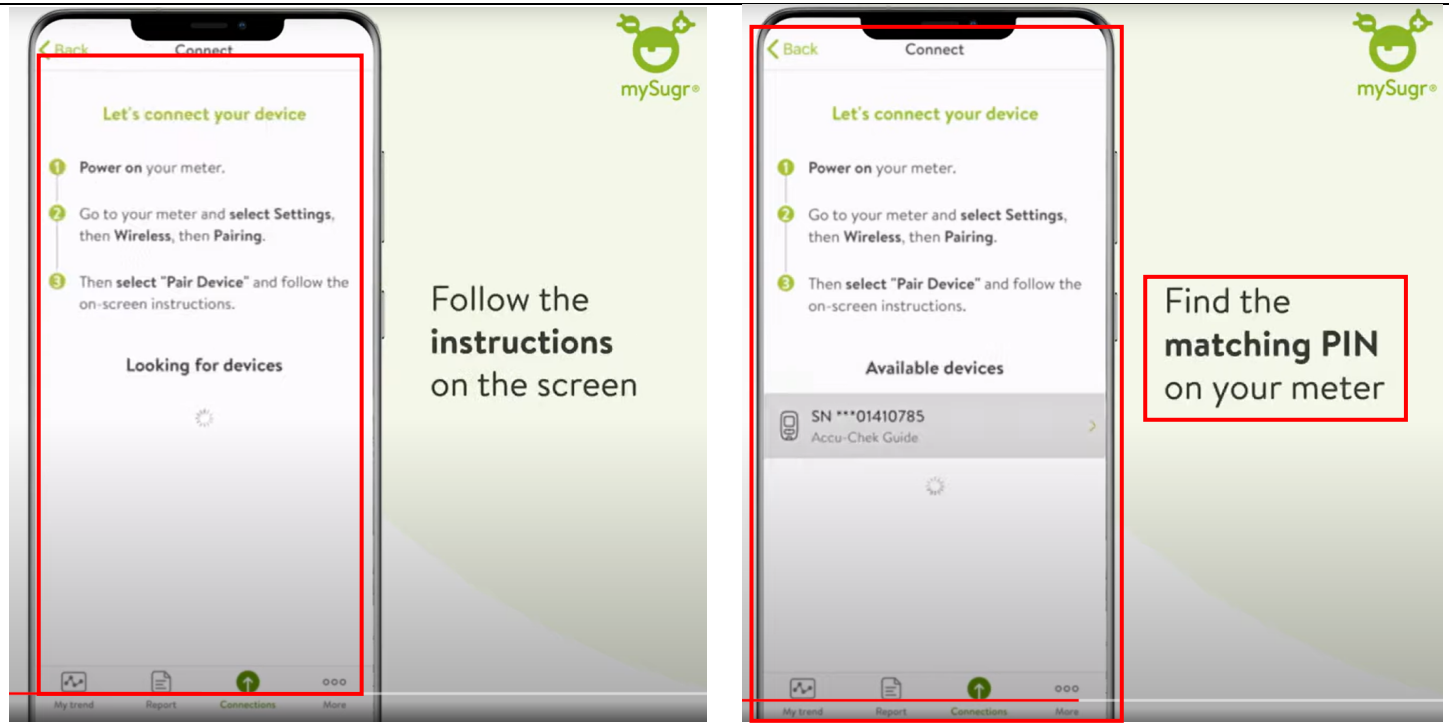


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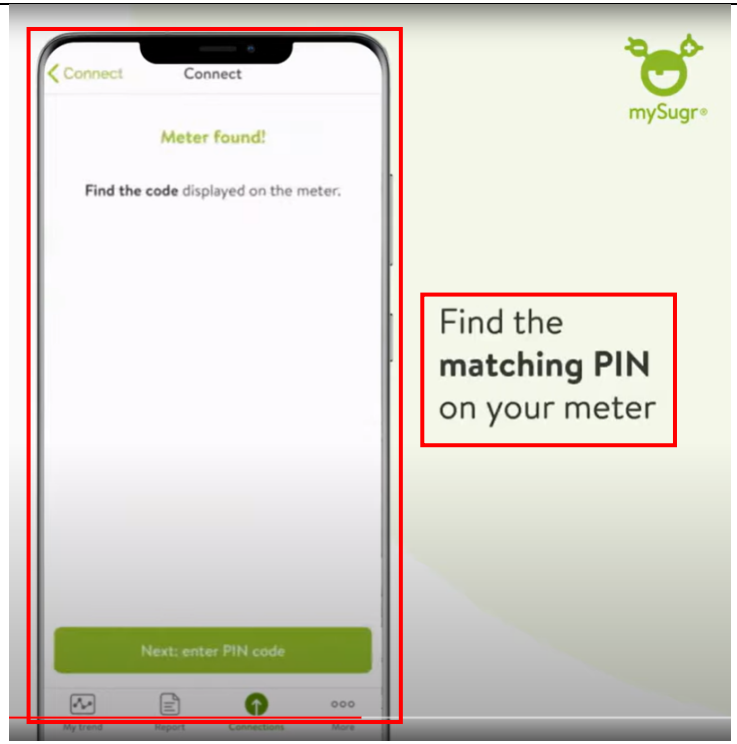


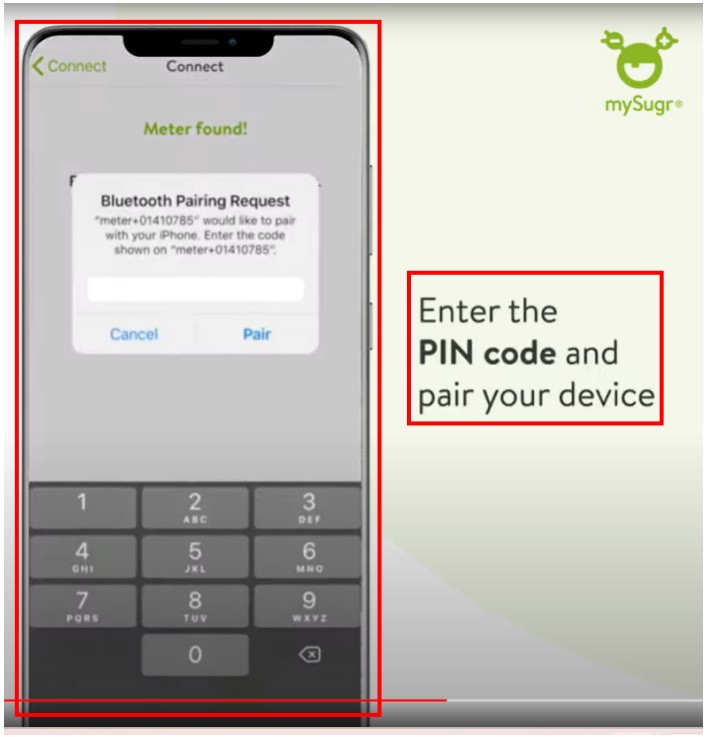


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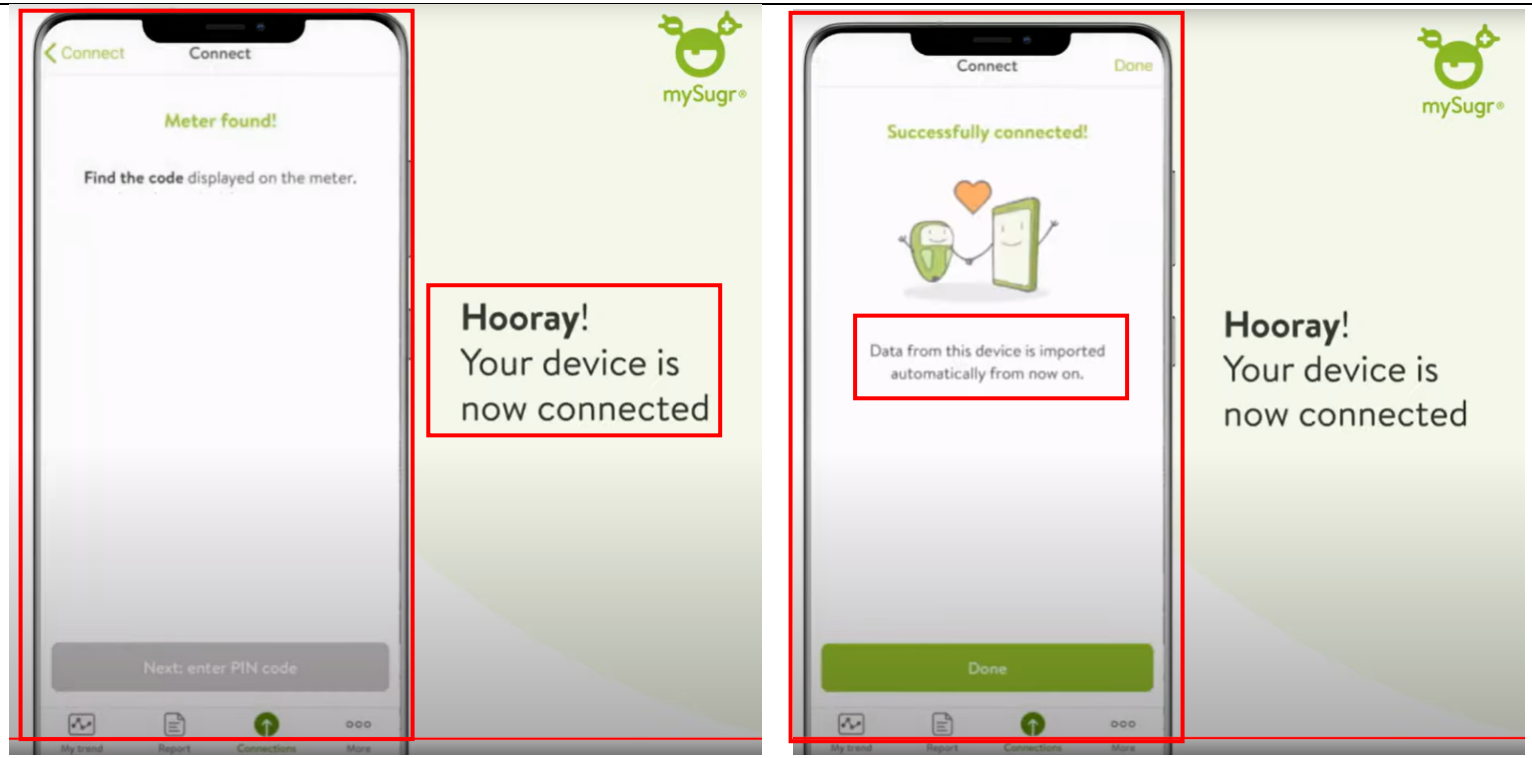


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Exhibit 4 to the Complaint.

## Connecting your devices & services

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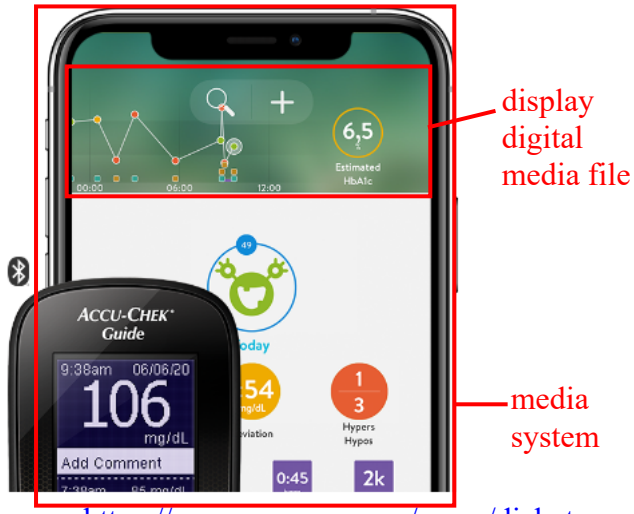
Source: https://www.mysugr.com/en-us/diabetes-app/




Source: https://www.mysugr.com/en-us/diabetes-app/ (annotated)

Exhibit 4 to the Complaint.

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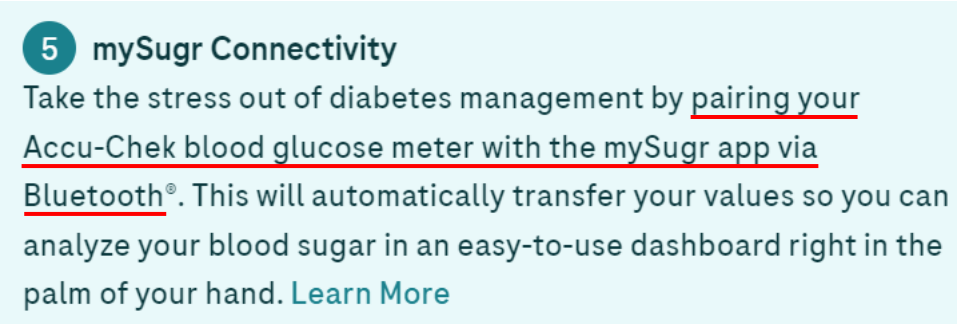
|---|---|
| | Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to the production of such source code by Company. |
| [44] The transfer system of claim 42, wherein the transmission of the at least one digital media file from the wireless mobile device to the media system completely bypasses the security measure. | Company makes, uses, sells and/or offers to sell the transmission of the at least one digital media file from the wireless mobile device to the media system completely bypasses the security measure.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the Accu-Chek Guide meter and the mySugr app do not require users to input a PIN ("security measure") every time they communicate. Instead, the PIN input is necessary during the initial pairing process, and thereafter, the devices automatically exchange data without requiring users to re-enter the PIN ("bypasses the security measure"). Therefore, upon information and belief, the Bluetooth channel created between Accu-Chek Guide meter and mySugr app completely bypasses the security measure.<br><br>  <br>Source: https://www.accu-chek.com/products/meters/guide |

Exhibit 4 to the Complaint.

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|---|---|
| | **Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that<br>1. utilizes Bluetooth low energy technology,<br>2. it is paired with, and<br>3. has an application that can accept the meter data.<br>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70 |

Exhibit 4 to the Complaint.

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Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:

1. If you are using an Apple device, make sure Bluetooth® is turned on.

a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.

2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)
3. Open the mySugr app and go to the "Connections" tab in the bar menu located at the bottom of the screen.
4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.
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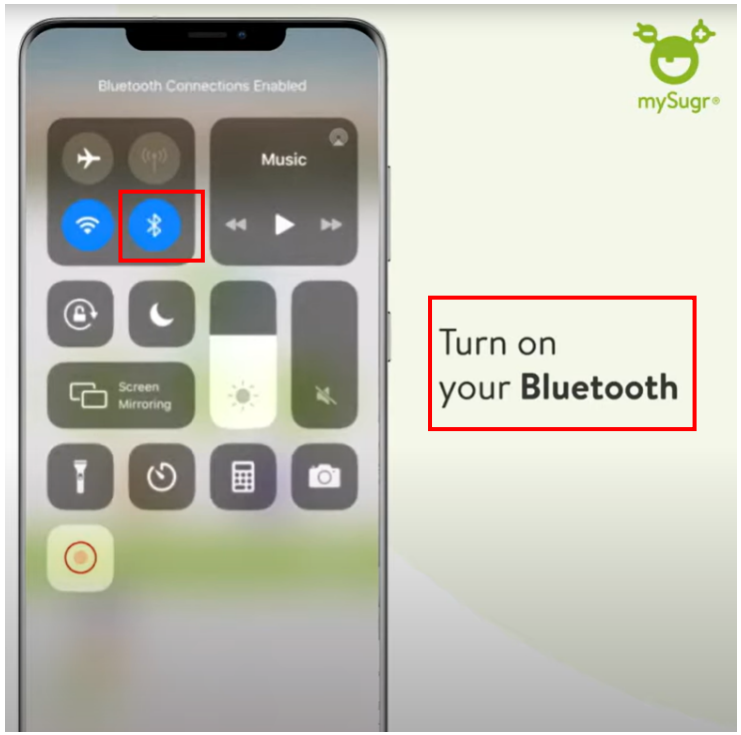
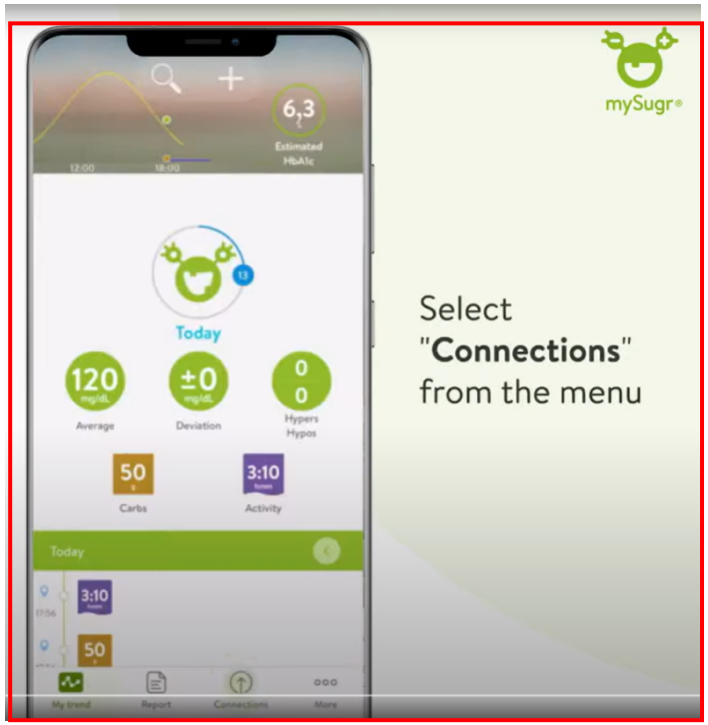
Source: https://www.accu-chek.com/support/products/guide

Exhibit 4 to the Complaint.

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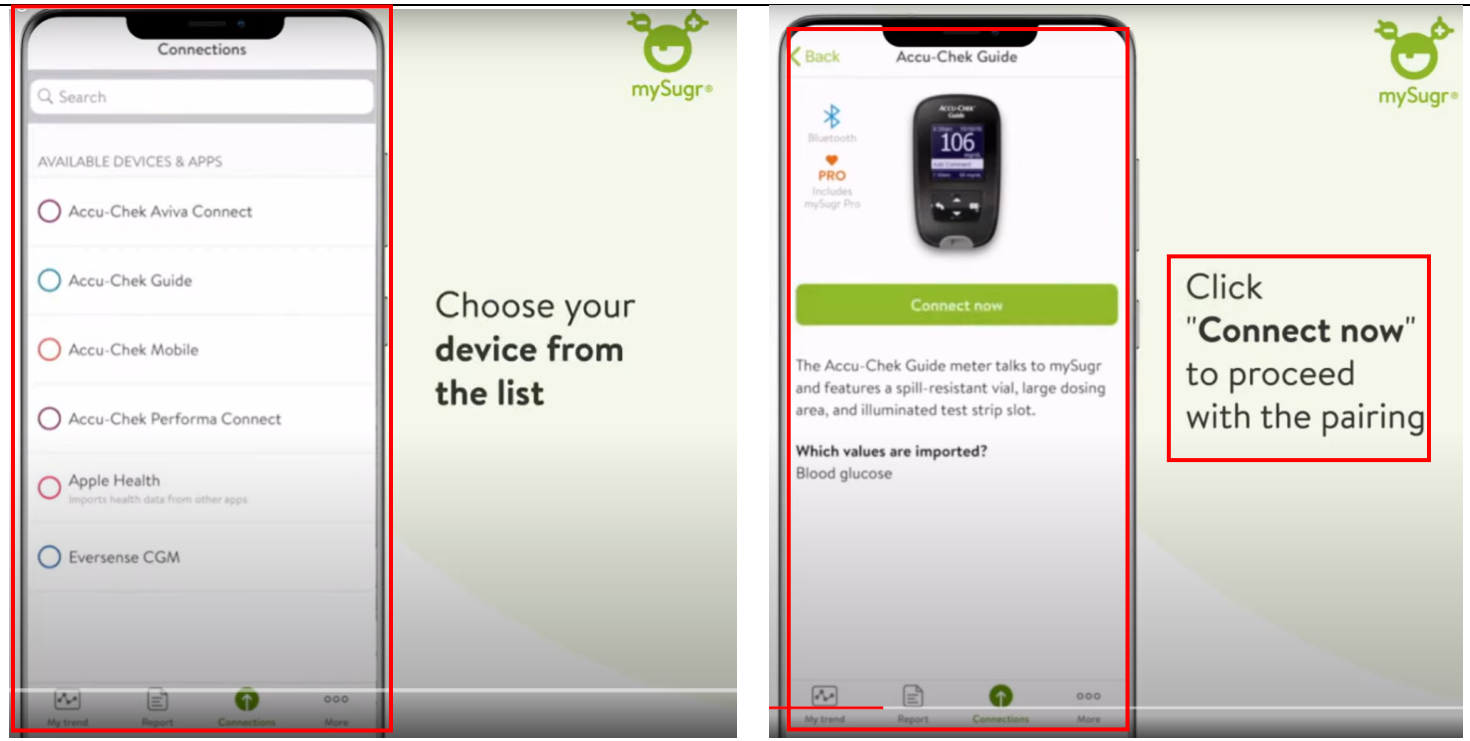


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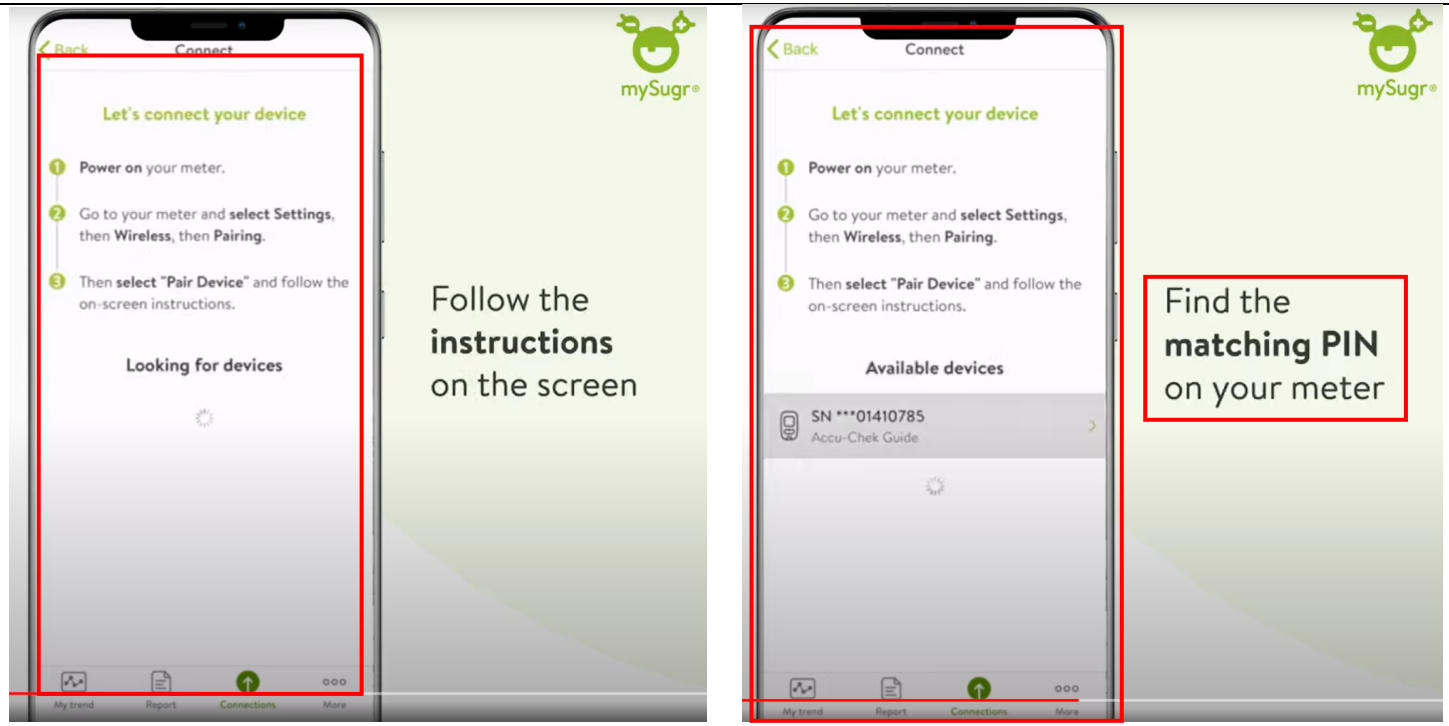


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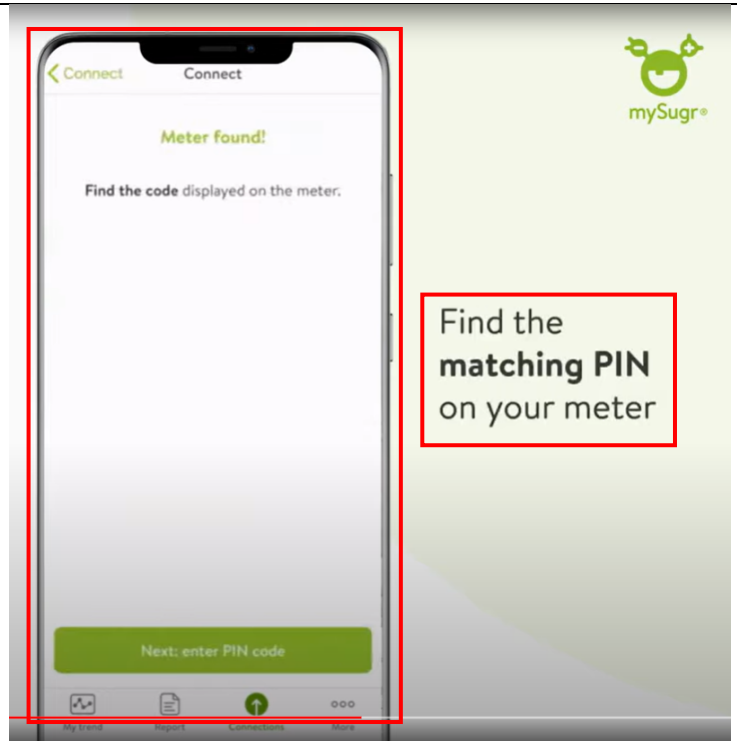


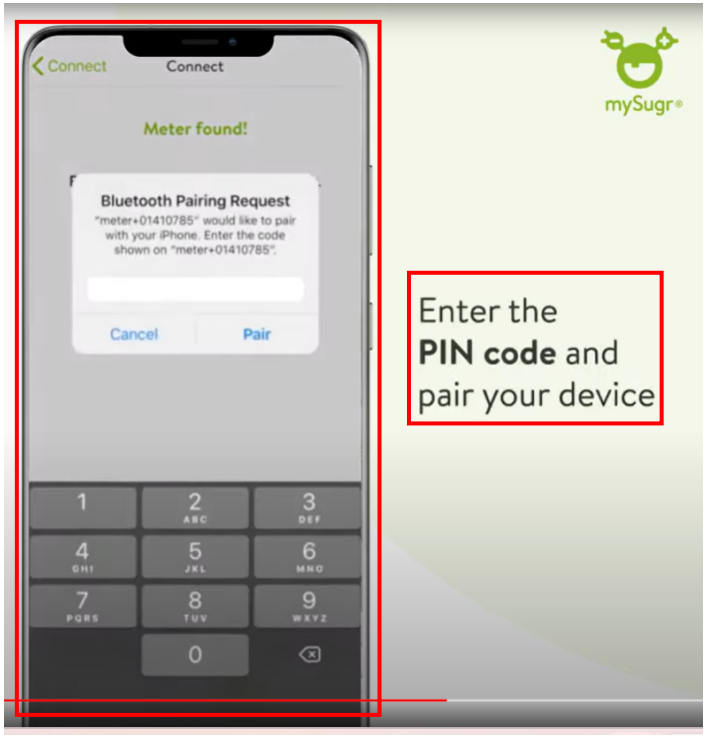


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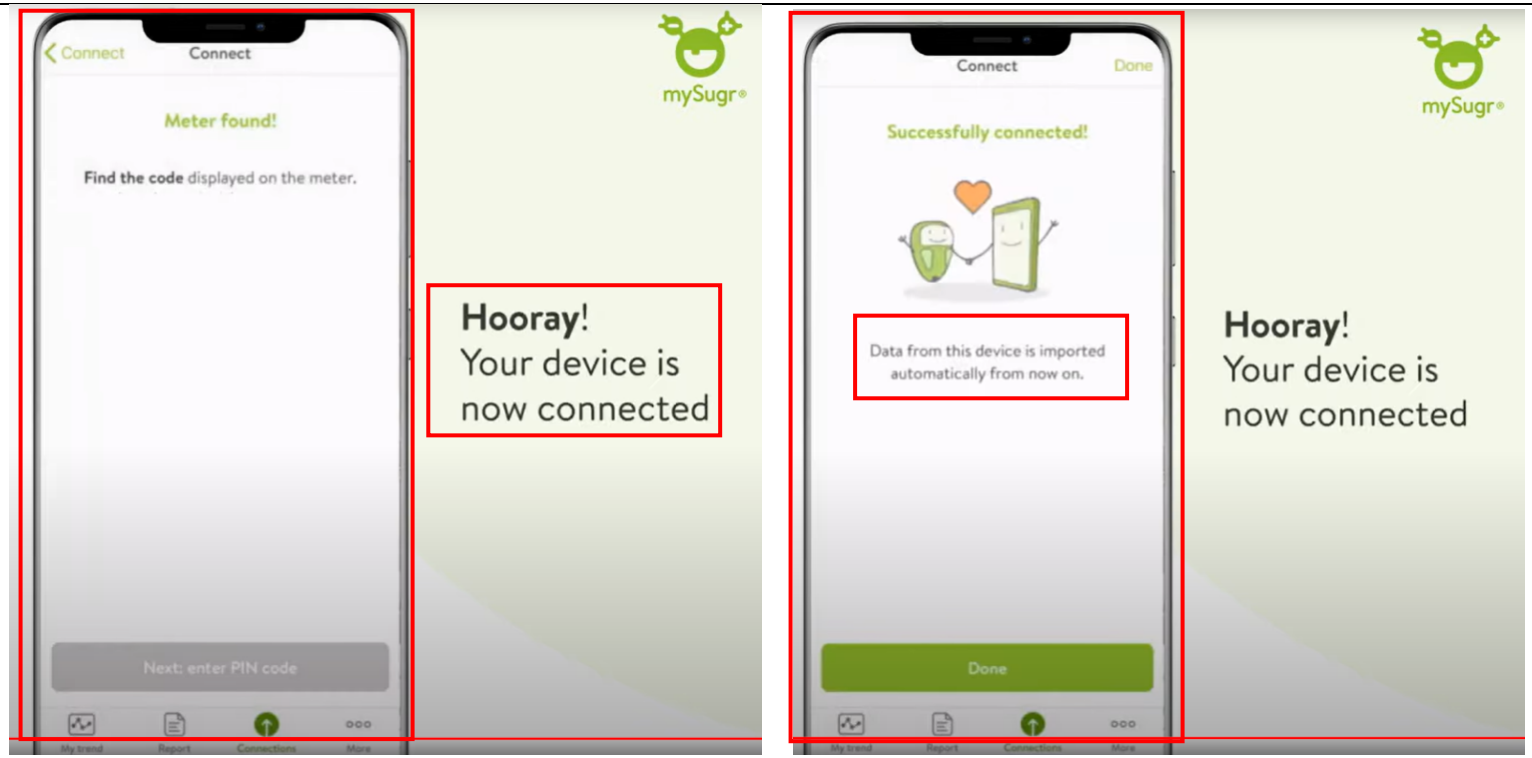


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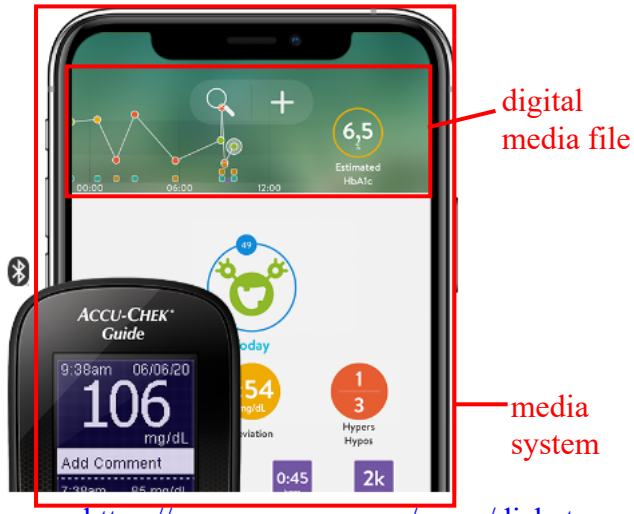



Source: https://www.mysugr.com/en-us/diabetes-app/ (annotated)

Exhibit 4 to the Complaint.

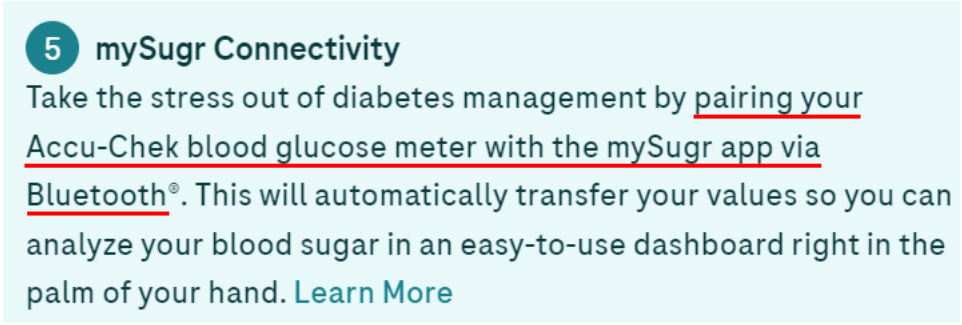
| | |
|---|---|
| | Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [47] The system of claim 42, wherein the communication link is at least one of a peer-to-peer connection, bluetooth connection, and a WiFi connection. | Company makes, uses, sells and/or offers to sell the communication link is at least one of a peer-to-peer connection, bluetooth connection, and a WiFi connection.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the mySugr app installed in the user's smartphone detects the Accu-Chek Guide meter through Bluetooth and establishes a connection ("communication link") for receiving the measured blood sugar level.<br><br>  <br><br>Source: https://www.accu-chek.com/products/meters/guide |

Exhibit 4 to the Complaint.

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Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:

1. If you are using an Apple device, make sure Bluetooth® is turned on.

a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.

2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)
3. Open the mySugr app and go to the “Connections” tab in the bar menu located at the bottom of the screen.
4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.
5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.
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Source: https://www.accu-chek.com/support/products/guide

Exhibit 4 to the Complaint.

Source: https://www.accu-chek.com/document/accu-chek-guide-quick-start-guide-2/download, Page 1 of 2 (annotated)

Exhibit 4 to the Complaint.

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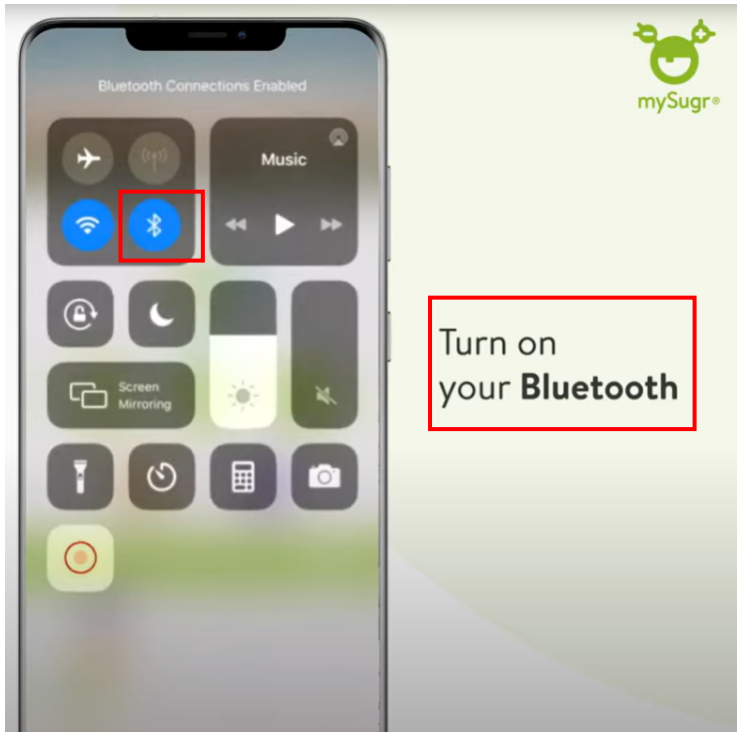
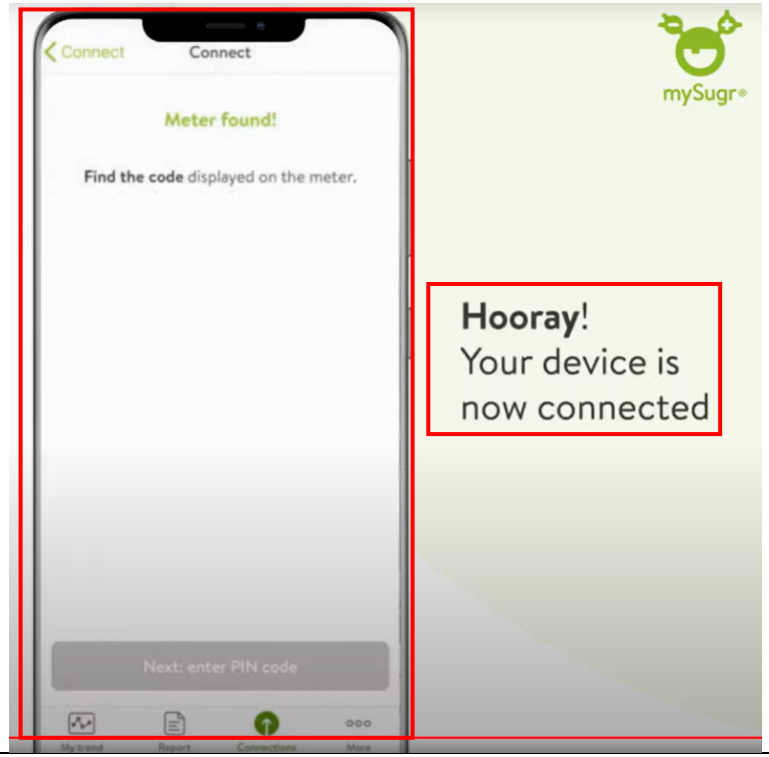
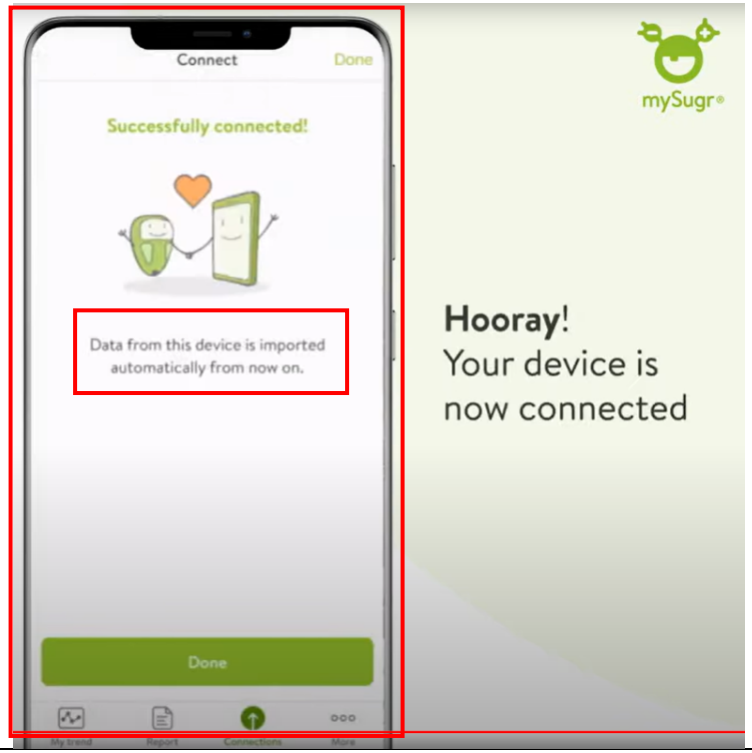
| |  <br>Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:07<br><br>Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [49] The system of claim 42, wherein the system is configured to present the at | Company makes, uses, sells and/or offers to sell the system is configured to present the at least one digital media file on a display.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the mySugr app installed on the user's smartphone ("media system"), the smartphone includes a display to show ("present") the measured blood sugar levels ("digital media file"). |

Exhibit 4 to the Complaint.

| | |
|---|---|
| least one digital media file on a display. | **5 mySugr Connectivity**<br>Take the stress out of diabetes management by pairing your Accu-Chek blood glucose meter with the mySugr app via Bluetooth®. This will automatically transfer your values so you can analyze your blood sugar in an easy-to-use dashboard right in the palm of your hand. Learn More<br>Source: https://www.accu-chek.com/products/meters/guide<br>  <br>  |

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Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:38, 0:40

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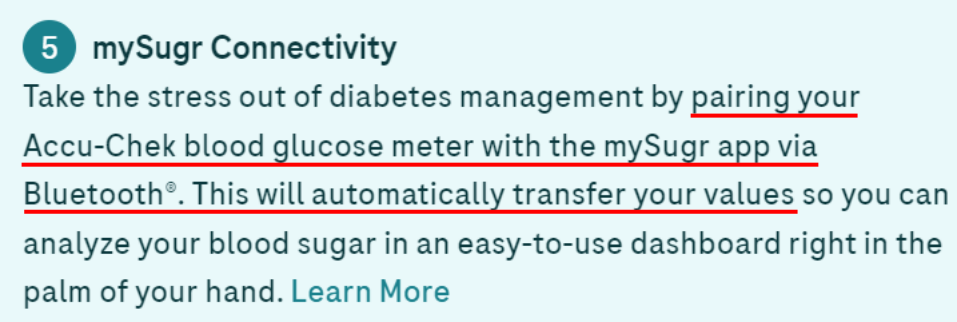
Source: https://www.mysugr.com/en-us/diabetes-app/

Source: https://www.mysugr.com/en-us/diabetes-app/ (annotated)

Exhibit 4 to the Complaint.

| | |
|---|---|
| | Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant. |
| [50] The system of claim 42, wherein the at least one digital media file is provided by the wireless mobile device. | Company makes, uses, sells and/or offers to sell at least one digital media file is provided by the wireless mobile device.<br><br>This element is infringed literally, or in the alternative, under the doctrine of equivalents.<br><br>For example, the Accu-Chek Guide ("wireless mobile device") sends the measured blood sugar levels ("at least one digital media file") to the mySugr app installed on the user's smartphone.<br><br>  <br><br>Source: https://www.accu-chek.com/products/meters/guide |

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| | **Bluetooth Wireless Technology** – The meter uses *Bluetooth*® low energy wireless technology to communicate and transfer information. Bluetooth wireless technology is a form or radio frequency (RF) technology that operates in the unlicensed industrial, scientific, and medical band at 2.4 to 2.485 GHz. The RF channel utilized for communication between the meter and other devices, such as a smartphone, is not an open channel. The meter can only communicate with the device that<br>1. utilizes Bluetooth low energy technology,<br>2. it is paired with, and<br>3. has an application that can accept the meter data.<br>Source: https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, Page 63 of 70 |

Exhibit 4 to the Complaint.

| | |
|---|---|
| | **How can I transfer Accu-Chek meter data to mySugr?** ^<br><br>Pairing your Accu-Chek meter to the mySugr app allows you to automatically log your blood sugar readings into the app, saving you tons of time.<br><br>Follow the steps below to pair your Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect meter to the mySugr app:<br><br>1. If you are using an Apple device, make sure Bluetooth® is turned on.<br><br>a. Bluetooth should turn on automatically for Android users at the beginning of the pairing process.<br><br>2. Ensure Location Services are turned on for the mySugr app during the pairing process. (You can turn it back off once you're done. Settings > Apps > mySugr > Location Services.)<br>3. Open the mySugr app and go to the “Connections” tab in the bar menu located at the bottom of the screen.<br>4. Select your meter – Accu-Chek Guide Me, Accu-Chek Guide or Accu-Chek Aviva Connect – and follow the steps on the screen to activate it.<br>5. You'll then receive a message that pairing was successful, meaning your meter is now connected to your mobile device.<br>6. You can return to the mySugr home screen by tapping on "My trend" in the tab menu located at the bottom of the screen<br><br>Source: https://www.accu-chek.com/support/products/guide |

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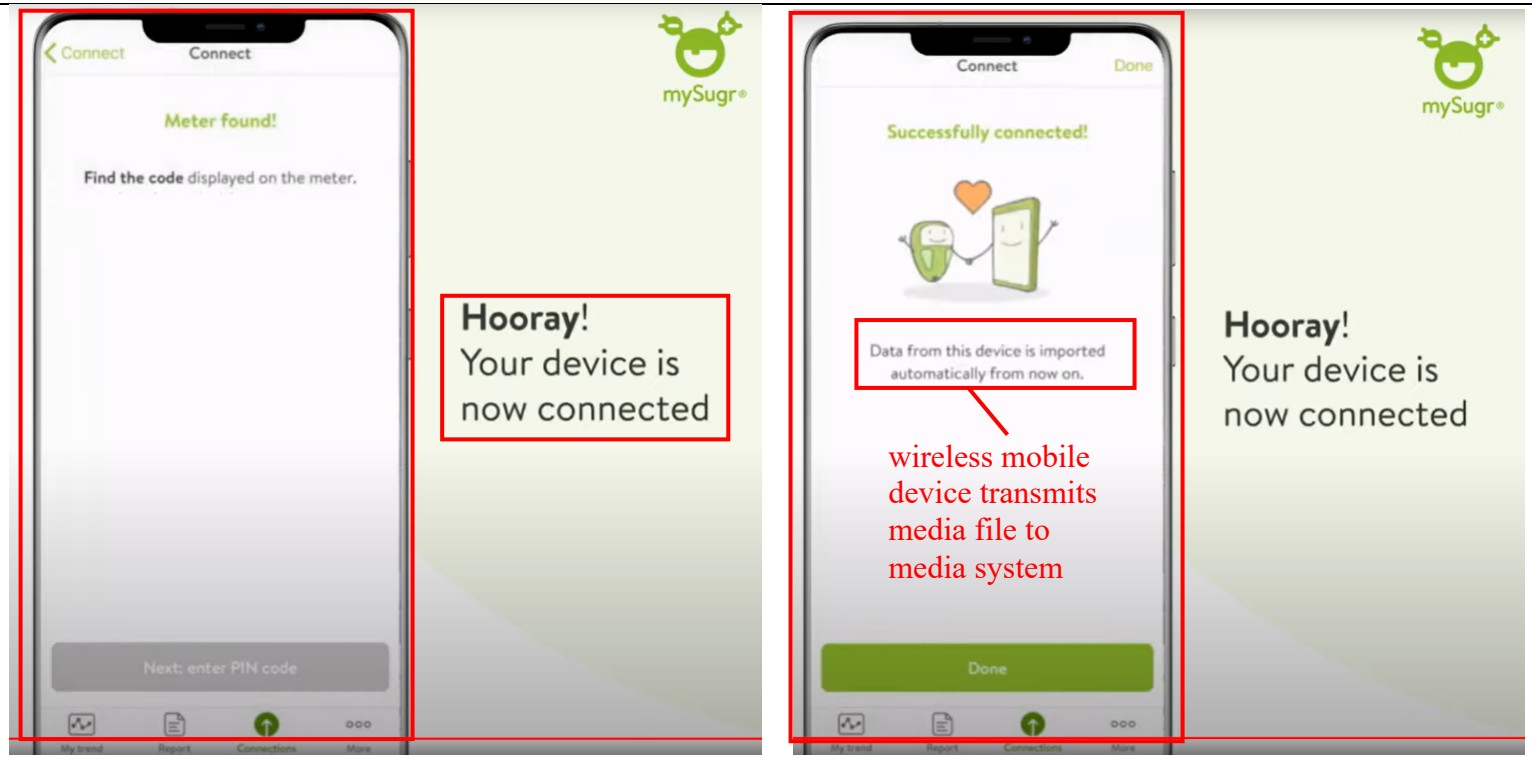


Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:38, 0:40 (annotated)

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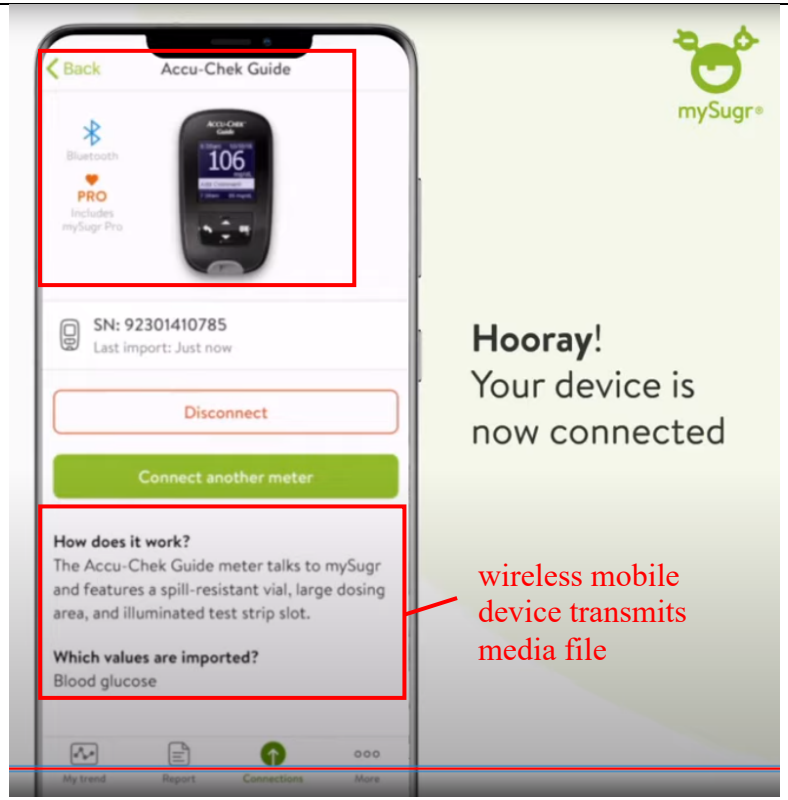


Source: https://www.youtube-nocookie.com/embed/EByD_P5-j0g, at 0:43 (annotated)

Further, to the extent this element is performed at least in part by Defendant's software source code, Plaintiff shall supplement these contentions pursuant to production of such source code by the Defendant.

Exhibit 4 to the Complaint.

## 2. List of References


1. https://www.accu-chek.com/products/meters/guide, last accessed on November 16, 2023.
2. https://www.youtube-nocookie.com/embed/EByD_P5-j0g, last accessed on November 16, 2023.
3. https://www.accu-chek.com/products/mysugr, last accessed on November 16, 2023.
4. https://www.accu-chek.com/support/products/guide, last accessed on November 16, 2023.
5. https://www.accu-chek.com/document/accu-chek-guide-quick-start-guide-2/download , last accessed on November 16, 2023.
6. https://www.accu-chek.com/document/accu-chek-guide-meter-manual-english/download, last accessed on November 16, 2023.
7. https://www.mysugr.com/en-us/diabetes-app/, last accessed on November 16, 2023.